



GEORGIA STATE SENATE

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2022 SESSION OF THE GEORGIA GENERAL ASSEMBLY

LEGISLATION PASSED

This document is a comprehensive report of all legislation passed by the 2022 Georgia General Assembly, with the exception of local legislation. Each bill is indexed by the assigned standing Senate committee through which it was favorably reported with a brief synopsis containing the primary sponsors and effective date. If further detail is needed on any bill, please contact the Senate Research Office to request the formal summary and analysis.

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AGRICULTURE AND CONSUMER AFFAIRS

Senate Bill 363

Fair Business Practices Act of 1975; Solicitations for Employment, or Labor Related Posters or Notices; Provide for Class Action Suits and Damage

Sponsor: Senator Tillery of the 19th and Representative Wiedower of the 119th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 791)

Current law requires that any solicitation for services relating to corporate filings must include a notice advising the recipient that the solicitation is not a bill or official government document and has not been sent by the Georgia Secretary of State. This bill requires that the notice also indicate that the solicitation is not being sent by the Georgia Department of Labor. It also adds a requirement that an envelope or the part of the solicitation that bears the postage stamp have "SOLICITATION" printed in at least 16 point Helvetica font. The bill also provides that a claim may be brought in a representative capacity and may be the subject of a class action. Damages will be the actual damages or \$200.00 per violation, whichever is greater.

Senate Bill 396

Georgia Grown Farm to Food Bank Program

Sponsor: Senator Goodman of the 8th and Representative Meeks of the 178th

Effective Date: July 1, 2022 (Signed April 13, 2022; Act 600)

This bill renames Georgia SNAP as the Georgia Grown Farm to Food Bank Program and requires that food procured for the program be Georgia grown or processed. It requires that Georgia grown produce be purchased at a level equal to or greater than the seller's input costs plus one-half of the projected appreciation costs. The bill also removes the 7 percent cap on grant funds used by regional food banks for administrative and incidental costs and removes the requirement that administrative costs be reimbursed to the Department of Agriculture.

Senate Bill 445

National Manufacture Housing Construction and Safety Standards Act of 1974; Civil Penalties, Conforming Changes

Sponsor: Senator Burns of the 23rd and Representative Washburn of the 141st

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 794)

This bill provides changes to Georgia law that align with federal standards. Specifically, the bill establishes penalties for violations of the National Manufacture Housing Construction and Safety Standards Act of 1974 or any regulation or final order issued thereunder will be consistent with the maximum penalty prescribed in federal law. Additionally, the bill eliminates the current \$1 million cap established in Georgia law and replaces it with the maximum civil penalty ascribed in federal law.

Senate Bill 486

Agricultural Commodity Commission for Propane

Sponsor: Senator Harper of the 7th and Representative Mathis of the 144th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 797)

This bill allows for public hearings of the Agricultural Commodity Commission for Propane to be held in person or by means of remote communication. Further, it changes the notice requirements for public hearings relating to marketing orders, by removing the requirements that hearings be held no sooner than five days after the last publication of public notice and that that notice must comply with the Georgia Administrative Procedure Act. It requires hearings and testimony be public, but not under oath and alters the requirements for assessment votes.

Currently, a proposed assessment will become effective if more than 50 percent of the eligible dealers in the state vote and more than 50 percent of eligible votes cast are in favor of the assessment. The bill changes the requirements so that 25 percent of the notified eligible dealers who are engaged within the area specified in the marketing order or amendment to the marketing order vote, and more than two-thirds of the eligible votes cast by the dealers are cast in favor of the assessment.

House Bill 508**True Origin of Digital Goods Act; Fair Business Practices Act: Recording Artist****Sponsor: Representative Carpenter of the 4th and Senator Harper of the 7th****Effective Date: July 1, 2022 (Signed May 2, 2022; Act 744)**

This bill amends the Fair Business Practices Act by making it unlawful for a performing group to advertise or conduct vocal or instrumental performances or productions by using false, deceptive, or misleading affiliations, connections, or associations with a recording group without authorization of the recording group, with some exceptions, such as denoting that it is a salute or tribute performance. Each performance, production, or advertisement constitutes a separate violation.

This bill also creates the True Origin of Digital Goods Act, which requires that a person who owns or operates a website or online service that substantially consists of electronic dissemination of third-party recordings or audiovisual works, must clearly and conspicuously disclose its name, address, phone number, and email address on the website in a readily accessible location. The bill provides for civil and criminal penalties and cause of action.

House Bill 1150**Freedom to Farm Act****Sponsor: Representative Dickey of the 140th and Senator Walker III of the 20th****Effective Date: July 1, 2022 (Signed April 13, 2022; Act 598)**

This bill revises the circumstances under which agricultural facilities and operations may be sued for nuisance. Further, it removes the provision concerning a “changed condition” from current law and lengthens the period in which a plaintiff can allege a nuisance occurred from one year to two years. The bill also prohibits any private nuisance cause of action from being filed against any agricultural facility or operation unless the plaintiff legally possesses the real property affected by the conditions alleged to be a nuisance. Additionally, the bill provides that the commencement of operation of a concentrated animal feeding operation will create a separate and independently established date of operation. However, nothing in the bill can preempt or override any present or future rules or regulations of the Georgia EPD or the U.S. EPA.

House Bill 1175**Georgia Raw Dairy Act; and Testing Equipment for Synthetic Opioids****Sponsor: Representative Pirkle of the 155th and Senator Mullis of the 53rd****Effective Date: July 1, 2023 (Georgia Raw Dairy Act); July 1, 2022 (Opioid Testing Equipment) (Signed May 13, 2022; Act 879)**

This bill establishes the Georgia Raw Dairy Act and allows the sale, offer for sale, or delivery of raw milk for human consumption. It provides for chemical, bacteriological, and temperature standards, and provides that the Commissioner of Agriculture is charged with inspecting locations where raw milk is produced, manufactured, kept, handled, stored, or sold.

This bill also authorizes the use of testing equipment to determine whether a drug has been adulterated with a synthetic opioid.

House Bill 1303**Elementary Agricultural Education Program****Sponsor: Representative Dickey of the 140th and Senator Burns of the 23rd****Effective Date: July 1, 2022 (Signed April 13, 2022; Act 599)**

This bill removes language relevant to a pilot program for elementary agricultural education and instead establishes a permanent program. The Department of Education is required to provide a written evaluation of the success and impact of the pilot program, which concludes with the 2021-2022 school year, by December 31, 2022. The Department is also authorized to administer the agricultural education program in elementary schools. If a local board of education elects to offer the elementary agricultural education program, then the local board must agree to implement and fully fund the program. The local school system will employ an agricultural education teacher to provide for the program and the Department of Education will establish the curriculum for each program. The curriculum must be grade-appropriate and include (1) instruction in an organized classroom; (2) collaborative learning experiences through investigation and inquiry, including laboratory and site-based learning activities; and (3) personal and leadership development opportunities.

House Bill 1443**Mobile Food Service Establishments; Permitting****Sponsor: Representative Gaines of the 117th and Senator Albers of the 56th****Effective Date: January 1, 2023 (Signed May 5, 2022; Act 825)**

The bill requires counties that are outside a mobile food service establishment's county of origin to recognize permits issued from the county of origin under certain circumstances and provides a process to recognize permits and for refusals. Further, it provides for inspection, inspection fees, revocation, and violations related to permitting. The bill also requires mobile food service establishments to return to their base of operations at least daily to service their unit with fresh water and to empty the wastewater tank. The Department of Public Health may establish an expedited permit approval and recognition process and may develop rules and regulations governing the operation of mobile food service establishments.

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APPROPRIATIONS

House Bill 910**Supplemental Appropriations for State Fiscal Year July 1, 2021 - June 30, 2022****Sponsors: Speaker Ralston of the 7th and Senator Tillery of the 19th****Effective Date: Upon Governor's Approval (Signed March 16, 2022; Act 566)**

Please contact the Senate Budget and Evaluation Office for details.

House Bill 911**General Appropriations for State Fiscal Year July 1, 2022 - June 30, 2023****Sponsors: Speaker Ralston of the 7th and Senator Tillery of the 19th****Effective Date: Upon Governor's Approval (Signed May 12, 2022; Act 865)**

Please contact the Senate Budget and Evaluation Office for details.

House Bill 1331**The State Employment Service Transferred to TCSG****Sponsors: Representative Meeks of the 178th and Senator Goodman of the 8th****Effective Date: July 1, 2022 (Signed April 29, 2022; Act 727)**

This legislation transfers the administration of the State Employment Service as provided under the federal Wagner-Peyser Act from GDOL to the Technical College System of Georgia. For the purpose of establishing and maintaining free public employment offices, TCSG is authorized to enter into agreements with GDOL and with other agencies and entities, and, as a part of any such agreement, TCSG may accept moneys, services, or quarters as a contribution.

House Resolution 593**Compensating Mr. Dennis Arnold Perry for Wrongful Arrest and Conviction****Sponsors: Representative Hogan of the 179th and Senator Beach of the 21st****Effective Date: July 1, 2022 (Signed May 2, 2022; Act 802)**

This resolution directs DOAS to pay \$1,230,000.00 to Mr. Dennis Arnold Perry as compensation for serving over 20 years in prison as a result of a wrongful arrest and conviction. The compensation will be paid from funds appropriated to or available to DOAS and must be in full and complete satisfaction of all claims against the state arising out of said occurrence. After an initial payment of \$307,500.00, the remainder will be paid in the form of an annuity in equal monthly installments over a 20 year period of time beginning in 2022. Upon the death of Mr. Perry, all remaining payments will continue to be made to his estate or heirs.

House Resolution 626**Compensating Mr. Kerry Robinson for Wrongful Arrest and Conviction****Sponsors: Representative Holcomb of the 81st and Senator Beach of the 21st****Effective Date: July 1, 2022 (Signed May 2, 2022; Act 804)**

This resolution directs DOAS to pay \$480,000.00 to Kerry Robinson as compensation for serving over 17 years in prison as a result of a wrongful arrest and conviction. The compensation will be paid from funds appropriated to or available to DOAS and must be in full and complete satisfaction of all claims against

the state arising out of said occurrence. After an initial payment of \$120,000.00, the remainder will be paid in the form of an annuity in equal monthly installments over a 20 year period of time beginning in 2022. Upon the death of Mr. Robinson, all remaining payments will continue to be made to his estate or heirs.

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BANKING AND FINANCIAL INSTITUTIONS

Senate Bill 470

Mortgage Lenders and Brokers; Different Categories of Felony Convictions for Purposes of Investigations of Mortgage Loan Originator Applicants

Sponsors: Senator Robertson of the 29th and Representative Wiedower of the 119th

Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 796)

Under current law, the Department of Banking and Finance is prohibited from issuing a license or registration for mortgage lending and brokering, and may revoke such license or registration if it discovers the applicant, licensee or certain other parties, including agents and employees, have been convicted of a felony offense. This bill amends this list to remove agents and to provide that felony convictions prohibit the employ of "covered employees" who are involved in residential mortgage loan related activities for property located in Georgia, rather than all employees. As a result, a prior felony conviction of a non-covered employee will not result in the revocation or denial of a license or registration of a mortgage broker or lender.

House Bill 891

Code Revisions in Title 7 (Concerning Banks, Credit Unions, and Other Financial Institutions)

Sponsors: Representative Williamson of the 115th and Senator Kennedy of the 18th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 748)

Makes numerous changes throughout Title 7. Major changes include revisions regarding changes in control and acquisitions of banks and bank holding companies, revisions in exemptions to mortgage licensing laws, and the repealing of tax on interest and the implementation of a per loan fee.

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ECONOMIC DEVELOPMENT AND TOURISM

Senate Bill 379

Program Incentivizing Apprenticeships in High-Demand Careers

Sponsors: Senator Strickland of the 17th and Representative Martin of the 49th

Effective Date: July 1, 2022 (Signed April 29, 2022; Act 728)

This bill creates the High-Demand Career Initiatives Program, which will provide a monetary award to employer sponsors for the successful completion and graduation of an apprentice in a high-demand job. To participate in the program, an employer sponsor submits an application to the TCSG board for an apprenticeship program for a specific apprentice. The application, if granted, allows the employer to enter into a contract to conduct an apprenticeship program for that apprentice which requires them to successfully complete and graduate from that program. Each employer sponsor is limited to entering into contracts through this program for up to five apprentices per year. Upon the successful completion of a contract under this bill, the board provides the employer sponsor with a contract completion award, the amount of which is determined based on the number of hours of education and training required for the successful completion of the apprenticeship under that program, but not to exceed \$10,000.00 per apprentice, subject to appropriation of funds by the General Assembly. An apprenticeship sponsor may assist an employer sponsor in the application for and completion of an apprenticeship contract under this bill.

House Bill 342

Plumbers; Requiring Valid License for a Person to Advertise That He or She Is a Master or Journeyman Plumber

Sponsors: Representative Washburn of the 141st and Senator Thompson of the 14th

Effective Date: July 1, 2022 (Signed May 13, 2022; Act 872)

Current law makes it a misdemeanor for an individual to engage in the business of plumbing as a master plumber or journeyman plumber unless such person has a valid license from the Division of Master

Plumbers and Journeyman Plumbers. This bill prohibits any person from advertising in any manner that such person is in the business or profession of plumbing as a master plumber or journeyman plumber unless such person is licensed by the Division of Master Plumbers and Journeyman Plumbers and unless the work is performed by a licensed plumber. Violations of this bill will also be a misdemeanor.

House Bill 1044

Regional Industrial Development Authorities; Consumer Choice for Television Act; Revisions of Definition for Cable Service and Video Service

Sponsors: Representative Pirkle of the 155th and Senator Gooch of the 51st

Effective Date: July 1, 2022 (Signed May 13, 2022; Act 878)

This bill provides that any group of three to five contiguous counties may create a regional industrial development authority by a joint resolution of the local governing bodies of participating counties. A county may only belong to one such authority. Current law provides that a taxpayer is allowed a credit against income tax for each quality job the taxpayer creates, subject to conditions and limitations. Eligibility for this tax credit, in part, is based on the tier of the county in which the quality new jobs are created. This bill provides that the eligibility for this tax credit is based on the lowest tier participating county within the regional industrial development authority for a taxpayer with qualified investment property located on property owned and operated by the regional industrial development authority and all participating counties, which is located within one or more of those counties.

This bill also alters the definitions for “Cable Services” and “Video Services” as it applies to the Consumer Choice for Television Act. This bill provides that “cable service” will not include video programming accessed via a service that enables users to access content, information, email, or other services offered over the internet, including digital audiovisual works. This bill also provides that “video services” video programming must be provided by a video service provider and the term “video service” will not apply to any video programming provided by a provider of direct-to-home satellite services or accessed via a service that enables users to access content over the internet, including digital audiovisual works.

House Bill 1516

Georgia Music Hall of Fame Authority to Coordinate with Classic Center Authority

Sponsors: Representative Gaines of the 117th and Senator Cowsert 46th

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 844)

This bill amends the Georgia music hall of fame authority’s purpose and nature of business to require coordination with the Classic Center Authority and entities dedicated to archiving and collecting music history and artifacts to house the Georgia Music Hall of Fame and to specify that the authority is to promote music events throughout the state. This bill modifies the composition of the authority’s nine-member board. This bill further provides that the authority is to maintain ownership of the Music Hall of Fame collection; provided, however, that the authority may rotate and share materials of the collection throughout the state. Further, this bill requires that the collection’s management, display, promotion, advertisement and procurement will be in compliance with all applicable copyright and trademark laws.

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EDUCATION AND YOUTH

Senate Bill 220

Mandatory Instruction on Financial Literacy; Georgia Civics Renewal Act

Sponsor: Senator Payne of the 54th and Representative Gambill of the 15th

Effective Date: Upon Governor’s Approval (Signed April 28, 2022; Act 723)

This bill requires the State Board of Education to adopt content standards for a course of study in financial literacy to be completed by students during eleventh or twelfth grade. Each local board of education must require beginning in the 2024-2025 school year that all students, as a condition of graduation, must complete at least a half-credit course in financial literacy. Such course may be provided within the framework of existing coursework offered by a local school system and will be eligible to count toward a math, social studies, or elective unit of credit requirement for graduation.

This bill also creates the Georgia Commission on Civics Education for the purpose of promoting and enhancing the education of students on the importance of civic involvement in a constitutional republic,

the study of state and local government among the state's citizenry, the importance of civic engagement and public service, and communication and collaboration among organizations in the state that conduct civics education. The bill tasks the commission with periodically reviewing the conditions, needs, issues, and problems related to civics education in Georgia schools, including, but not limited to, career, technical, and agricultural education (CTAE) instruction for the government and public administration and the law, public safety, corrections, and security pathways.

Senate Bill 514

Unmask Georgia Students Act

Sponsor: Senator Dixon of the 45th and Representative McDonald of the 26th

Effective Date: Upon Governor's Approval (Signed March 29, 2022; Act 586)

This bill prohibits local boards of education and local school superintendents from making or enforcing any rule that requires students to wear face masks or coverings on school property or other property owned or operated by the local school system unless such rule provides that a parent or guardian of an enrolled student may elect to exempt his or her child from the rule. This prohibition also applies to administrators, teachers, and other school personnel acting within the scope of their employment. Additionally, the prohibition applies to governing bodies of charter schools and state chartered special schools, as well as charter school personnel acting within the scope of their employment. Any parent or guardian who elects to exempt their child from such a rule is not required to provide a reason for making such election or any certification of the child's health or education status, and no student may suffer adverse disciplinary or academic consequences as a result of such election. The bill will stand repealed in its entirety on June 30, 2027.

Senate Bill 588

Requiring Local School Boards to Open All Meetings to the Public

Sponsor: Senator Miller of the 49th and Representative Rich of the 97th

Effective Date: July 1, 2022 (Signed April 28, 2022; Act 721)

This bill provides that all meetings of any local board of education must be open to the public. The bill specifically provides that no member of the public may be removed from a public meeting except in the event of actual disruption of the proceedings and in accordance with rules of conduct for public meetings adopted and published by the local board. Local boards must provide a public comment period during monthly meetings, and the chair of a local board will have the discretion to limit comments on a particular issue. Additionally, visual and audio recording must be permitted at all public meetings of a local board. The bill grants jurisdiction to superior courts to enforce compliance with the bill.

House Bill 1084

Protect Students First Act; Oversight Committee for High School Athletic Associations

Sponsor: Representative Wade of the 9th and Senator Miller of the 49th

Effective Date: July 1, 2022 (Signed April 28, 2022; Act 719)

Divisive Concepts

This bill prohibits the use of and reliance upon curricula or training programs by public school systems which act upon, promote, or encourage certain divisive concepts, as defined in the bill. It also requires local boards to prohibit employees from discriminating against students and other employees based on race and ensure that curricula and training programs encourage employees and students to practice tolerance and mutual respect. No later than July 1, 2022, the Department of Education must promulgate a model policy for a complaint resolution process that meets certain requirements. No later than August 1, 2022, each local board of education and the governing body of each charter school must adopt such a complaint resolution policy to address alleged violations of this bill.

The bill provides procedures for appeals, remedies, and penalties: Following a local school board's decision regarding alleged violations of this bill, any party aggrieved will have the right to appeal such decision to the State Board. If the State Board finds that any such violations occurred, GaDOE must issue a corrective action plan which the local school system will have 30 days to implement. If the State Board finds that such local school system has not implemented the corrective action plan within the 30-day timeframe, the State Board must order the immediate suspension of one or more waivers granted to the local school system. If the local school system has not been granted one or more such waivers, the State Board must refer the matter to the State Superintendent. Any individual with standing to file a complaint pursuant to this bill also has the right to request, in writing, from the local school superintendent or

school principal non-confidential records which he or she reasonably believes may substantiate a complaint.

Executive Oversight Committee – High School Athletic Associations

This bill also establishes an executive oversight committee to manage and regulate high school athletic associations in the state. The bill provides for the oversight committee's authority and duties, and provides that any high school that participates in athletic events overseen by an athletic association that does not comply with this bill must forfeit its allotted QBE funding. It also provides authority for an athletic association to determine whether it is necessary and appropriate to prohibit students whose gender is male from participating in athletic events that are designated for students whose gender is female. If the athletic association determines that such prohibition is necessary and appropriate, it may adopt a policy to that effect which must apply to all of the athletic association's participating public high schools.

House Bill 1178

Parents' Bill of Rights

Sponsor: Representative Bonner of the 72nd and Senator Dixon of the 45th

Effective Date: July 1, 2022 (Signed April 28, 2022; Act 718)

This bill explicitly states that no state or local government entity, local board of education, or any officer, employee, or agent thereof may infringe on the fundamental right of a parent to direct the upbringing and education of his or her minor child without demonstrating that such action is reasonable and necessary to achieve a compelling state interest and that such action is narrowly tailored and is not otherwise served by less restrictive means. The bill lists examples of parental rights and states that unless such rights have been waived or terminated as provided by law, parents have inalienable rights that are more comprehensive than those listed, and unless otherwise required by law, the rights of a parent of a minor child must not be limited or denied. Additionally, this bill requires each governing body – in consultation with parents, teachers, and administrators – to develop and adopt a policy or regulation to promote parental involvement in public schools. Such policy or regulation must be posted on each governing body's website, and a copy must be available for review on site upon request by a parent.

House Bill 1215

Updates to Charter School Enrollment, Funding, and Reporting

Sponsor: Representative Thomas of the 21st and Senator Albers of the 56th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 769)

Current law provides that a student may withdraw without penalty from a charter school at any time and enroll in a local school in the school system in which such student resides as may be provided for by the policies of the local board. This bill provides that a student may likewise withdraw without penalty from a local school in the school system in which such student resides at any time and enroll in a charter school with available classroom space. It also requires each local school board to adopt a universal, streamlined transfer process allowing for transfers to charter schools pursuant to this bill.

Current law provides that local revenue must be allocated to a local charter school on the same basis as for any local school in the local school system. This bill requires that the calculation of such allocation of local revenue must be adjusted at least semiannually based upon collected local revenues, and the local school board's published calculation of earnings to each local charter school must be updated accordingly.

House Bill 1283

Mandatory Recess for Students K-5

Sponsor: Representative Douglas of the 78th and Senator Mullis of the 53rd

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 841)

This bill requires each elementary school to schedule recess for all students in kindergarten and grades one through five every school day beginning in the 2022-2023 school year. Recess will not be required on any school day on which a student has had physical education or structured activity time or if reasonable circumstances impede such recess, such as inclement weather when no indoor space is available, assemblies or field trips exceeding their scheduled duration, or conflicts occurring at the scheduled recess time over which the classroom teacher has no control. Current law requires each local school board to establish written policies allowing or prohibiting unstructured break time for students in kindergarten

and grades one through eight. Under this bill, such policies must allow unstructured break time for those students.

House Bill 1292

Students Participating in 4-H Activities Prohibited from Being Counted Absent

Sponsor: Representative Jasperse of the 11th and Senator Harper of the 7th

Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 772)

This bill provides that any student who participates in an activity or program sponsored by 4-H must be credited as present by the school in which enrolled in the same manner as an educational field trip, and such participation in an activity or program sponsored by 4-H may not be counted as an absence, either excused or unexcused, for any day, portion of a day, or days missed from school. Upon request from a school principal or the principal's designee, a 4-H representative must provide documentation as proof of a student's participation in an activity or program sponsored by 4-H.

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ETHICS

House Bill 907

Special Election to Allow a Question on the third Tuesday in March on Sales and Use Taxes Prior to July 1, 2024

Sponsors: Representative Smith of the 18th and Senator Anavitarte of the 31st

Effective Date: Upon Governor's Approval (Signed February 15, 2022; Act 310)

Current Georgia law specifies the two or three days per year on which special elections may be held to present a question to the voters. During an odd numbered year, any special election to present a question may only be held on the third Tuesday in March or on the Tuesday after the first Monday in November. If the year is even, any such special election may be held on (1) the date of and in conjunction with the presidential preference primary, (2) the date of the general primary, or (3) the Tuesday after the first Monday in November. This bill also states that, during an even-numbered year, a special election may also be held on the third Tuesday in March. This date will only be authorized for special elections before July 1, 2024 which present a question to voters on sales and use taxes.

House Bill 923

Per Diem for Development Authority Directors; Enforcement of Ethics Violations

Sponsors: Representative Oliver of the 82nd and Senator Anavitarte of the 31st

Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 791)

Current Georgia law creates a development authority for each county and municipality in the state. The authority consists of a board of between seven and nine directors, appointed by resolution of the governing body of the county or municipality. These directors receive no compensation for their services other than reimbursement for costs incurred in the performance of their duties. Directors of an authority activated in counties with a population of 550,000 or more, however, are paid a per diem allowance determined by the governing authority of the county. This bill states that no allowance may exceed the per diem allowance set for members of the General Assembly. It also clarifies that directors are subject to O.C.G.A. § 45-10-4, regarding removal from office due to a violation of the statutory code of ethics.

The bill grants concurrent jurisdiction to enforce ethics violations by directors to the Georgia Government Transparency and Campaign Finance Commission. Should formal charges be filed with the Commission, it or its designated agent must conduct a hearing to take evidence. The member so charged must be given at least 30 days' notice of this hearing. If the charges are found true, the Commission must remove the member from office and the vacancy must be filled as provided by law. The hearing and any judicial review of the decision must be conducted in accordance with the Georgia Administrative Procedure Act.

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FINANCE

Senate Bill 361

“Law Enforcement Strategic Support Act” or “LESS Crime Act”

Sponsors: Senator Walker of the 20th and Representative Gaines of the 117th

Effective Date: July 1, 2022, and applies to all tax years beginning on or after January 1, 2023 (Signed May 9, 2022; Act 856)

This bill allows a tax credit against a taxpayer's income tax for contributions of funds, preapproved by DOR, to qualified law enforcement foundations which have been designated as the sole local law enforcement foundation for a single local law enforcement unit and certified and listed by the commissioner as prescribed in this bill. This bill directs that a qualified law enforcement foundation is limited to accepting \$3 million per year in contributions. Each qualified law enforcement foundation is only permitted to use the funds received from qualified contributions to make qualified expenditures, which are limited to twice annual salary supplements, training, the purchase, lease, maintenance, or improvement of equipment, or to cover any costs incurred by the local law enforcement unit for the operation of an emergency response team that combines law enforcement officers and behavioral health specialists, provided such costs do not include salaries or other regular compensation. The qualified law enforcement foundation must also maintain records of all such expenditures and make disclosures on their own website.

The tax credits allowed pursuant to this bill are subject to an aggregate cap of \$75 million per year. Single individual taxpayers or head of household taxpayers are allowed a total credit of the actual amount of qualified contributions made up to \$5,000 per year. Married taxpayers filing jointly are allowed a total credit of the actual amount of qualified contributions made up to \$10,000 per year. An individual taxpayer who is a member of a limited liability company, a shareholder of a Subchapter 'S' corporation, or a partner in a partnership is allowed a credit of the actual amount of qualified contributions it made up to \$10,000.00 per tax year; provided that the credits pursuant to this paragraph only be allowed for the portion of the income on which tax was actually paid by the taxpayer. Corporations or other entities not covered by the above three categories are allowed a credit up to the actual amount of qualified contributions made or 75% of such taxpayer's income tax liability, whichever is less.

House Bill 304

Suspends Motor Fuel Tax until May 31, 2022

Sponsors: Representative Lott of the 122nd and Senator Hufstetler of the 52nd

Effective Date: March 18, 2022 (Signed March 18, 2022; Act 567)

This bill suspends the excise tax on motor fuel sold in Georgia until May 31, 2022.

House Bill 424

Tax Credit for Contributions to Certain Foster Care Support Organizations

Sponsors: Representative Williamson of the 115th and Senator Cowsert of the 46th

Effective Date: July 1, 2022 and applies to all tax years beginning on or after January 1, 2023 (Signed May 9, 2022; Act 858)

This bill allows a tax credit against a taxpayer's income tax for contributions of funds, preapproved by DOR, to qualified foster child support organizations – specifically aging-out programs and child placing agencies – which are certified as such and listed by DFCS. This bill directs that qualified organizations must use at least 80 percent of qualified contributions to make qualified expenditures, as detailed in this bill, and any organizations that solely provide funds to aging out programs and child-placing agencies are further limited and may not retain more than 2.5 percent of qualified contributions for itself. These organizations are further required to make disclosures on their own website about the contributions received and how they were used.

For the entire year, all individual taxpayers, regardless of filing status, and corporations are allowed a total credit of up to the actual amount of qualified contributions made, provided that individuals who are member of an LLC, a shareholder of a Subchapter S corporation, or a partner in a partnership are limited to the portion of their income on which the taxpayer actually paid taxes. However, the aggregate cap on this tax credit is set at \$20 million per year and each category of taxpayer is limited for contributions made between January 1 and June 30 of each year – \$2,500 for single taxpayers; \$5,000 for married filing jointly; \$5,000 for individual members of an LLC, shareholders of a Subchapter S corporation, or partners

in a partnership; and corporations are limited to 10% of its income tax liability. This bill requires DOR to maintain a webpage for the purposes of implementing this bill, including application information and links, the list of qualified organizations, the total amount of credit remaining and given out, and statistical information received from the qualified organizations. Taxpayers must apply for preapproval prior to making a donation in order to receive this tax credit. The chairpersons of the House Appropriations Committee and of the Senate Committee on Appropriations have the authority to request an audit related to this bill.

House Bill 469

Revising the Tax Credits for the Rehabilitation of Historic Structures

Sponsors: Representative Stephens of the 164th and Senator Albers of the 56th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 812)

Current law provides an income tax credit for the rehabilitations of historic homes and other certified historic structures. This bill provides that no such credits for historic homes may be issued after January 1, 2025, and no credits under this Code Section of any kind may be issued after January 1, 2028. This bill further provides an aggregate cap of up to \$5 million per year on credits for historic homes for the years 2023 and 2024, and an aggregate cap of up to \$30 million on credits for other certified historic structures for the years 2023 through 2027. Applications submitted after the annual aggregate yearly limitations must be given priority the following year.

House Bill 517

Student Scholarship Organizations

Sponsors: Representative Carson of the 46th and Senator Payne of the 54th

Effective Date: Part II effective on January 1, 2023, and applies to all tax years on or after January 1, 2023; all other sections effective on July 1, 2022 (Signed April 28, 2022; Act 722)

Current Georgia law requires that Student Scholarship Organizations obligate a minimum amount of their annual revenue to scholarships or tuition grants. This bill includes interest earned on deposits and investments of scholarship funds or tuition grants in the calculation of annual revenue. Current Georgia law requires student scholarship organizations to conduct an independent audit of their accounts every fiscal year and to annually report certain scholarship information. This bill amends the information required in such audit and report, and requires both be conducted within 120 days of the end of the organization's fiscal year.

Current law allows taxpayers to take the student scholarship organization tax credit for donations to student scholarship organizations. This bill allows a tax credit for insurance companies which contribute to an SSO, against their state insurance premium tax liability in the amount equal to its actual qualified educational expenses or 75 percent of its premium tax owed, whichever is less, but not more than \$1 million. Current law provides an aggregate credit on tax credits for SSO contributions of \$100 million in any tax year. This bill provides that beginning in 2023, the aggregate credit must not exceed \$120 million per year and that in no event will the credit for business enterprises exceed \$6 million for any tax year.

House Bill 586

Sales and Use Tax Exemption for Admission to Fine Arts Performance and Tax Credit for Conservation Land

Sponsors: Representative Watson of the 172nd and Senator Gooch of the 51st

Effective Date: Upon Governor's Approval (Signed May 10, 2022; Act 862)

Under current law, sales of tickets, fees, or charges for admission to certain nonprofit fine arts performances or exhibitions are exempt from sales and use taxes, this bill extends the sunset date for this exemption from December 31, 2022 to December 31, 2027.

Under Code Section 48-7-29.12, a credit against a taxpayer's income tax is allowed for qualified donations of real property for conservation purposes, subject to an aggregate cap of \$30 million per calendar year. This bill provides that from June 1, 2023 to December 31, 2026, the aggregate amount of such tax credits allowed is \$4 million per calendar year and extends the sunset provision of this credit from December 31, 2021 to December 31, 2026.

House Bill 934**Single County TSPLOST to Continue After Surpassing the Original Estimated Amount of Proceeds****Sponsors: Representative Leverett of the 33rd and Senator Anavitarte of the 31st****Effective Date: Upon Governor's Approval and applies to taxes imposed or to be imposed under resolutions adopted on or after such date (Signed May 2, 2022; Act 752)**

Pursuant to current law, a single county may impose a one percent TSPLOST to fund specific transportation purposes. The tax may be levied until it raises a specific amount of proceeds, which corresponds to the approximate cost of the specific transportation project(s) to be funded, or a set time period of up to five years, whichever is first. This bill provides that when an intergovernmental agreement is entered into, the tax will continue to be levied until the final day of the maximum period of time specified for the imposition of the tax in the resolution. This bill further provides that single county TSPLOST referendums may only be held on certain dates. In odd-numbered years, a referendum may be held on the Tuesday after the first Monday in November. In even-numbered years, such a referendum may be held on the date and in conjunction with the presidential preference primary if one is held that year; on the date of the general primary; or on the Tuesday after the first Monday in November.

House Bill 997**Exemption from All Ad Valorem Taxes for Timber Equipment****Sponsors: Representative Watson of the 172nd and Senator L. Walker of the 20th****Effective Date: Upon Governor's Approval and applies to all tax years beginning on or after January 1, 2023 (Signed May 10, 2022; Act 859)**

This bill authorizes a new exemption from ad valorem taxation for timber equipment directly used in the production or harvest of timber. This bill provides that equipment used in harvesting includes all off-road equipment and related attachments used in forestry procedures—from the removal of a tree from the ground until it has been loaded on a truck for transport. This bill provides that timber producers may also be engaged in the secondary practices of land conservation and ecological forest management in which commercial production of wood and wood fiber products may be undertaken primarily for conservation and restoration purposes rather than financial gain; the promotion, preservation, or management of wildlife habitat; carbon sequestration in accordance with the Georgia Carbon Sequestration Registry; mitigation and conservation banking that results in restoration or conservation or wetlands and other natural resources; or the production and maintenance of ecosystem products and services, such as, but not limited to, clean air and water.

House Bill 1034**Sales Tax Exemption for Nonrecurring Major Sporting Events to Include FIFA World Cup and to Extend Sunset Provision****Sponsors: Representative Wiedower of the 119th and Senator Albers of the 56th****Effective Date: July 1, 2022 (Signed May 2, 2022; Act 757)**

Current Georgia law provides an exemption from sales and use tax for sales of admissions to nonrecurring major sporting events. Major sporting events include the Super Bowl; any semifinal game or championship game of a national collegiate tournament; a Major League Baseball, Major League Soccer or National Basketball Association all-star game; or any other nonrecurring major sporting event determined by the commissioner of economic development and the state revenue commissioner to be a major sporting event. This bill adds any match of a FIFA World Cup to the list of major sporting events. Under current law, this exemption has a sunset date of December 31, 2022. This bill extends the sunset date to December 31, 2031.

House Bill 1041**Increasing Aggregate Cap for Rural Hospital Organizations Tax Credit****Sponsors: Representative Pirkle of the 155th and Senator Hickman of the 4th****Effective Date: January 1, 2023 and applies to all tax years beginning on or after January 1, 2023 (Signed May 6, 2022; Act 832)**

Under current Georgia law, subject to certain prerequisites, individuals and corporations are eligible to receive income tax credits for contributions for the direct benefit of rural hospital organizations. Current law provides a cap on the aggregate amount of this tax credit at \$60 million per calendar year. This bill increases that amount to \$75 million per calendar year.

House Bill 1058**Georgia Affiliated Groups Election to File Georgia Consolidated Income Tax Return****Sponsors: Representative Williamson of the 115th and Senator Hickman of the 4th****Effective Date: Upon Governor's Approval and applies to all tax years beginning on or after January 1, 2023 (Signed May 5, 2022; Act 824)**

Under current Georgia law, affiliated corporations which file a consolidated federal income tax return must file separate income tax returns with this state unless they have received prior approval to file a single consolidated income tax return by DOR. This bill removes such requirement and instead provides that affiliated corporations which qualify as a Georgia affiliated group may elect to file a Georgia consolidated return. This bill further provides that each corporation in a Georgia affiliated group that files a Georgia consolidated return is jointly and severally liable for the group's Georgia income tax liability for that entire taxable year. However, a corporation which was not a member of the group for the entire taxable year will be jointly and severally liable for prorated tax liability attributable to the part of the year during which the corporation was a member.

House Bill 1064**Income Tax Exemption for Military Retirement Income****Sponsors: Representative Petrea of the 166th and Senator Kirkpatrick of the 32nd****Effective Date: July 1, 2022, and applies to all tax years beginning on or after January 1, 2022 (Signed April 18, 2022; Act 641)**

This bill authorizes a new exemption of up to \$17,500.00 for retirement benefits from military service in the United States' armed forces or reserves, provided that the individual is less than 62 years of age. This bill also provides that such individual may be eligible for an additional exemption of up to \$17,500 of such retirement income, provided that the individual has additional Georgia earned income in an amount that exceeds \$17,500.

House Bill 1291**Sales Tax Exemption for over \$15 Million in Computer Equipment for High-Technology Companies and Sales Tax Exemption High-Technology Data Center Equipment****Sponsors: Representative V. Smith of the 133rd and Senator Gooch of the 51st****Effective Date: Section 2, effective January 1, 2024 and applies to all tax years on or after January 1, 2024; all other sections effective Upon Governor's Approval (Signed May 5, 2022; Act 824)**

Current Georgia law provides an exemption from sales and use tax for high-technology companies where sale or lease exceeds \$15 million in a calendar year when purchasing or leasing computer equipment. This bill extends the sunset date for the tax exemption to December 31, 2028. Further, beginning January 1, 2024, a taxpayer claiming the exemption must pay 10 percent of the sales taxes on the first \$15 million of eligible purchases for which this exemption is claimed. Computer equipment, for the purposes of this exemption, does not include prewritten computer software or computers and devices issued to employees.

Current Georgia law provides an exemption for sale and use tax for certain high-technology data center equipment to be incorporated or used in a high-technology data center, provided it meets a minimum investment threshold and other conditions provided for by statute. This bill extends the sunset date for this exemption to December 31, 2031. This also bill revises the minimum investment threshold providing the required number of new quality jobs depends upon the population of the county, amending the required expenditures, and providing those expenditures must be made over a consecutive seven year period between July 1, 2018 and December 31, 2031, such that high-technology data centers:

- Located in a county with a population over 50,000 must create 25 new quality jobs and make \$250 million in aggregate expenditures;
- Located in a county with a population over 30,000 and less than 50,001 must create 10 new quality jobs make \$75 million in aggregate expenditures; and
- Located in a county with a population less than 30, must create 5 new quality jobs make \$25 million in aggregate expenditures.

House Bill 1302

One-Time Tax Credit for Taxpayers Who Filed Returns for Both 2020 and 2021

Sponsors: Representative Bonner of the 72nd and Senator Dixon of the 45th

Effective Date: Upon Governor's Approval (Signed March 23, 2022; Act 582)

This bill creates a one-time tax credit for individual taxpayers who filed a tax return for both the 2020 and 2021 taxable years, provided they filed their return by the filing due date for the 2021 taxable year, including any granted extensions. Upon filing an individual tax return for 2021, qualified individuals will automatically receive this credit. The credit will be the amount of the lesser of the taxpayer's 2020 individual Georgia income tax liability or an amount based on the taxpayer's 2020 filing status, such that a single taxpayer or married taxpayer filing a separate return would be allowed a credit of \$250.00, a head of household would be allowed a credit of \$375.00, and a married couple filing a joint return would be allowed a \$500 credit.

House Bill 1320

Annual IRC Conformity

Sponsors: Representative Knight of the 130th and Senator Hickman of the 4th

Effective Date: Upon Governor's Approval and applies to all tax years beginning on or after January 1, 2021 (Signed May 2, 2022; Act 774)

This bill incorporates changes in the federal Internal Revenue Code into Georgia law for tax years beginning on or after January 1, 2021.

House Bill 1437

"Tax Reduction and Reform Act of 2022"

Sponsors: Representative Blackmon of the 146th and Senator Hufstetler of the 52nd

Effective Date: Part II becomes effective on January 1, 2024, and applies to all tax years beginning on or after January 1, 2024; all other parts become effective Upon Governor's Approval (Signed April 26, 2022; Act 716)

Georgia taxable net income is the taxpayer's federal adjusted gross income, as defined in the United States Internal Revenue Code, less certain exemptions. Under current law, an income tax is imposed on individual taxpayers at a rate between 1 percent and 5.75 percent, based upon the person's income and filing status. This bill revises the rate of income taxation for individuals in Georgia to 4.99 percent via a phase-in of the rate by way of an annual reduction in tax rate by one tenth of one percent per year, such that the reduction takes the form of the following schedule:

- In 2024, the income tax imposed will be levied at the rate of 5.49 percent;
- In 2025, the income tax imposed will be levied at the rate of 5.39 percent;
- In 2026, the income tax imposed will be levied at the rate of 5.29 percent;
- In 2027, the income tax imposed will be levied at the rate of 5.19 percent;
- In 2028, the income tax imposed will be levied at the rate of 5.09 percent; and
- In 2029, and in all subsequent years, the tax imposed will be levied at the rate of 4.99 percent.

However, such changes in the tax rate will only occur if the revenue estimate for the succeeding fiscal year is at least 3 percent above the revised estimate for the present year, the prior fiscal year's net revenue collection was higher than each of the past five fiscal years, and the revenue shortfall reserve contains a sum that exceeds the projected decrease in state revenue resulting from the reduction of the tax rate to occur in the following year.

This bill further repeals the existing standard personal exemptions for individual income taxation and provides for a deduction which each taxpayer will be allowed as a personal exemption, in the amount provided in the following schedule:

- For each married couple filing a joint return:
 - For taxable years beginning on or after January 1, 2024, \$18,500;
 - For taxable years beginning on or after January 1, 2026, \$20,000;
 - For taxable years beginning on or after January 1, 2028, \$22,000; and
 - For taxable years beginning on or after January 1, 2030, \$24,000.
- For each married taxpayer filing a separate return, one-half of the amount of the personal exemption allowed above for married couples filing a joint return for the given year;
- For each single taxpayer or head of household, \$12,000 for any taxable year
- For each dependent of a taxpayer, \$3,000 for any taxable year

Under current law, in addition to the exemptions discussed above, an individual taxpayer may either incorporate their federal taxable income's itemized deductions or take a standard deduction. This bill repeals this entire provision regarding standard deductions and instead provides that a taxpayer may deduct the sum of all itemized nonbusiness deductions used in computing such taxpayer's federal taxable income. Current law provides an exclusion of retirement income of an individual taxpayer who is 62 years or older and that, for the purposes of this exclusion, an individual's earned income in excess of \$4,000 is not considered retirement income. This bill increases this amount to \$5,000. This bill further provides, that any amount of state or local taxes that are deducted in determining federal taxable income in excess of \$10,000 must be added to Georgia taxable income when computing Georgia net taxable income.

This bill also requires that on or before May 1, 2023, the House Ways and Means Committee and the Senate Committee on Finance to jointly undertake a thorough review of any and all state tax credits, deductions, and exemptions. By December 1, 2023, the committees must submit a report of their findings and recommendations to the presiding officers of their respective chambers.

House Resolution 594

Constitutional Amendment: Temporary Tax Relief for Properties Severely Damaged or Destroyed by a Disaster

Sponsors: Representatives L. Smith of the 70th and Senator Brass of the 28th

Effective Date: Upon Ratification of Ballot Question (Signed May 2, 2022; Act 803)

This amendment to the Georgia Constitution provides that when a portion of a jurisdiction is severely damaged or destroyed as a result of a disaster, provided it is within a nationally declared disaster area, relevant governing authorities and school boards are authorized to grant temporary tax relief to properties that are severely damaged or destroyed. The governing authority of each county, municipality, and consolidated government and the board of education of each independent and county school system will have the authority to grant temporary tax relief for taxes such entity levies.

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GOVERNMENT OVERSIGHT

Senate Bill 120

Georgia Government Transparency and Campaign Finance Act

Sponsors: Senator Tippins of the 37th and Representative Efstathiou of the 104th

Effective Date: Upon Governor's Approval (Signed March 2, 2022; Act 521)

This bill addresses transparency in government and disclosures required by all forms of Georgia candidates. This bill creates different statutes of limitation for violations of this act for different categories of office, based on the date the initial report containing the violation was filed. Further, the bill updates the current timeline requirements for account recordkeeping and creates different timeline requirements for different elective offices. This bill prohibits a candidate from utilizing campaign funds for making loans or investments directly to various persons or entities which would create a conflict of interest.

Currently, the executive director of each state board, commission, council, or authority and any such members must file with the Georgia Government Transparency and Campaign Finance Commission an affidavit confirming the public officer took no official action in the previous calendar year that had a material effect on the officer's private financial or business interests. This bill states that if the executive director of a state board, commission, council, or authority and any such members previously filed a financial disclosure statement as required for constitutional officers, elected state officials, executive heads of state departments or agencies, and members of the General Assembly, he or she is excused from the affidavit requirement.

This bill states that, for the purposes of separate accounting, a candidate advances to the next election in the cycle upon official certification of the election result by the Secretary of State, concession of the candidate's election opponents, or advancing to a runoff election, whichever occurs first.

Current law creates different filing requirements for different categories of public officers. Every constitutional officer, elected state official, executive head of a state department or agency, and each

member of the General Assembly must file a financial disclosure statement for the previous calendar year. This bill states the financial disclosure statement must cover the five years prior to the election year rather than just the immediately preceding year. It also requires the financial disclosure statement to include the source(s) of the candidate's income for the five calendar years prior to the year in which the election is held and the first quarter of the calendar year in which the election is held.

Senate Bill 337

Suspension of Compensation for Public Officials Indicted for a Felony

Sponsors: Senator Walker of the 20th and Representative Gullett of the 19th

Effective Date: July 1, 2021 (Signed May 13, 2022; Act 869)

Currently, if a public official is indicted for a felony, Georgia law requires the Governor to appoint a review commission whose purpose is to determine whether such indictment relates to and adversely affects the administration of the indicted public official's office. Should the commission so determine, the Governor must review the commission's findings and recommendations and may immediately suspend the official pending final disposition of the case or the end of the official's term of office, whichever comes first. While the official is suspended and until a trial conviction, the official continues to receive compensation from his or her office. This bill states that a public official suspended under such circumstances must cease receiving compensation until his or her reinstatement. For the purposes of back compensation only, reinstatement may occur after the expiration of the public official's term of office.

Senate Bill 346

Forbidding State Agencies from Contracting with Chinese Government Companies

Sponsors: Senator Mullis of the 53rd and Representative Momtahan of the 17th

Effective Date: July 1, 2022 (Signed May 4, 2022; Act 822)

This bill mandates state agencies to require any company submitting a bid or proposal regarding a contract for goods or services to certify that it is not owned or operated by the Chinese government. Any such company is ineligible to bid on or submit a proposal for a contract with a state agency. Further, if DOAS determines that a company has falsified its certification, the company will be liable for \$250,000 or twice the amount of the contract for which a bid was submitted, whichever is greater. Any such contract must be terminated, and the company is ineligible to bid on or submit a proposal for state contracts.

Senate Bill 534

Agency Rulemaking Affecting Charitable Organizations

Sponsors: Senator Kennedy of the 18th and Representative Gaines of the 117th

Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 801)

Current Code Section 50-13-4, part of the Georgia Administrative Procedures Act, lists certain responsibilities an agency has before the adoption, amendment, or repeal of any rule other than an interpretive rule or a general statement of policy. This bill adds to the list by creating requirements for when an agency formulates or adopts a rule which places administrative burdens on charitable organizations in this state. Absent a compelling state interest, the agency or official must not impose any annual filing or reporting requirements that are more burdensome than those authorized by law. Any requirements so imposed must be narrowly tailored to achieve the compelling state interest.

Additionally, The Code currently requires that an agency must give at least 30 days' notice of any intended adoption, amendment, or repeal of any rule. This bill mandates that such notice must also include an explanation of how the rule takes the above considerations into account. This notice must be emailed to each chairperson of any standing committee of the General Assembly.

Senate Bill 562

Forbidding State Agencies from Contracting with Russian Government Owned or Operated Russian or Belarusian Companies

Sponsors: Senator Mullis of the 53rd and Representative Momtahan of the 17th

Effective Date: July 1, 2022 (Signed May 4, 2022; Act 821)

This bill mandates a state agency to require any company submitting a bid or proposal regarding a contract for goods or services to certify that it is not operated by the Russian or Belarusian governments. Any such company is ineligible to bid on or submit a proposal for a contract with a state agency. Further, if DOAS determines that a company has falsified its certification, the company will be liable for \$250,000

or twice the amount of the contract for which a bid was submitted, whichever is greater. Any such contract must be terminated, and the company is ineligible to bid on or submit a proposal for state contracts.

House Bill 918

Georgia Rare Disease Advisory Council

Sponsors: Representative Cheokas of the 138th and Senator Watson of the 1st

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 750)

This bill establishes the Georgia Rare Disease Advisory Council to advise the General Assembly and other state agencies and departments on the needs of individuals with rare diseases living in Georgia. The Council will be made up of 16 members who represent healthcare workers, patients, social workers, and biopharma companies, amongst others. Six members are appointed by the Governor, and five members each are appointed by the Speaker and the Lieutenant Governor. Members receive no compensation outside actual and necessary expenses in the performance of their duties. No later than June 30, 2023, and every year after, the Council must submit a report to the Governor and the General Assembly detailing its progress in the prior year, providing an update on Council funding, and providing recommendations on ways to address the needs of rare disease patients in Georgia. The Council must make this report available for public comment prior to submission.

House Bill 1335

State Holidays; Public Safety Week

Sponsors: Representative Smyre of the 135th and Senator Mullis of the 53rd

Effective Date: Upon Governor's Approval (Signed April 4, 2022; Act 588)

Currently, Georgia recognizes and observes as holidays all days which were designated as of January 1, 1984, as federal holidays, and all other days designated by the Governor as public holidays or as religious observance. Further, the Governor must close all state offices and facilities for 12 days in observance of public holidays. This bill updates the federal holidays to include all federal holidays as of Jan 1, 2022. It also requires the Governor to close state offices and facilities for 13 days throughout the year, rather than 12. The bill designates the week in September during which September 11 falls as Public Safety Week every year.

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HEALTH & HUMAN SERVICES

Senate Bill 116

Betsy's Law

Sponsors: Senator Robertson of the 29th and Representative Cooper of the 43rd

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 787)

This bill creates the legal framework for maternity supportive housing residences. A maternity supportive housing residence is defined as a residential home that houses on behalf of a nonprofit organization up to six pregnant women aged 18 years or older and their minor children, at any one time during the woman's pregnancy, and for up to 18 months after childbirth. No medical services may be provided in such a residence. Care provided in a relative's home, a child welfare agency, or in general or special hospitals, is excluded from this definition. Beginning July 1, 2022, the bill requires all maternity supportive housing residences to apply for registration with DHS and pay an annual registration fee of \$250.00.

Senate Bill 338

Increasing Women's Postpartum Coverage under Medicaid to One Year

Sponsors: Senator Burke of the 11th and Representative Cooper of the 43rd

Effective Date: July 1, 2022 (Signed May 13, 2022; Act 870)

This bill increases Medicaid postpartum coverage from six months to one year following the date the pregnancy ends.

Senate Bill 340

Designated Teaching Hospitals' and Hospital Authorities' Residency Programs Must be Approved by the Accreditation Council for Graduate Medical Education

Sponsors: Senator Kirkpatrick of the 32nd and Representative of the Cooper of the 43rd

Effective Date: July 1, 2022 (Signed May 6, 2022; Act 831)

This legislation requires residency programs offered by designated teaching hospitals and hospital authorities to be approved by ACGME. Additionally, a designated teaching hospital must have at least one ACGME accredited residency program, excluding any stand-alone fellowship programs.

Senate Bill 345

Prohibiting Proof of COVID-19 Vaccine Requirement by State Agencies

Sponsors: Senator Mullis of the 53rd and Representative Jasperse of the 11th

Effective Date: July 1, 2022 (Signed May 3, 2022; Act 819)

This bill forbids any agency from requiring proof of COVID-19 vaccination prior to providing services or facility access. Additionally, any agency is prohibited from requiring a private person or entity to require proof of COVID-19 vaccination prior to providing services or facility access. This legislation further provides for preemption by CMS' regulations or any federal contractual terms applying to workplace locations in which one or more individuals are working on or in connection with a federal government contract.

Senate Bill 403

Georgia Behavioral and Peace Officer Co-Responder Act

Sponsors: Senator Watson of the 1st and Representative Cooper of the 43rd

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 857)

This legislation establishes a Co-Responder Program, which is a program that is established through a partnership between a community service board and a law enforcement agency to utilize the combined expertise of peace officers and behavioral health professionals on emergency calls involving behavioral health crises to de-escalate situations and help link individuals with behavioral health issues to appropriate services. Additionally, this legislation provides for civil immunity for an individuals' actions taken in connection with the transportation of a patient to a facility or physician.

Senate Bill 496

Medical Examiner's Death Investigation of Pregnant Females

Sponsors: Senator Burke of the 11th and Representative Cooper of the 43rd

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 799)

This bill requires coroners or county medical examiners to perform death investigations of pregnant females unless such a death occurred as an incidental or accidental cause, including a motor vehicle accident, or from any other event or condition where it is apparent that the death was not causally related to the care of or physiology of pregnancy or its maintenance. This legislation also clarifies that an individual *is* deemed to have died unattended by a physician when the individual was not seen or treated by a physician within 180 days prior to his or her death for a condition or illness likely to have caused or contributed to such individual's death.

Senate Bill 539

Recording of Persons on the Premises of County Board of Health Facilities

Sponsors: Senator Hatchett of the 50th and Representative Sainz of the 180th

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 846)

This legislation prohibits any person from knowingly photographing or recording the activities of patients that occur in a facility which is operated by a county board of health without the consent of all the patients observed except for photographing and recordings related to incarcerated persons, owners or occupiers of real property, curtilage of an individual's residence, and a law enforcement officer's performance of their official duties.

Senate Bill 573

Surgical Smoke

Sponsors: Senator Brass of the 28th and Representative Newton of the 123rd

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 849)

This bill requires each hospital and ambulatory surgical center to adopt policies for the reduction of human exposure to surgical smoke. The term “surgical smoke” under this legislation, is the gaseous by-product produced from the interaction of tools or heat-producing equipment used for dissection and hemostasis during surgical or invasive procedures.

Senate Bill 610

Requires a Review of Provider Reimbursement Rates under Certain Waiver Programs and Submit a Waiver Request to CMS

Sponsors: Senator Harrell of the 40th and Representative Petrea of the 166th

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 853)

This legislation mandates DCH to conduct at least every four years a comprehensive review of provider reimbursement rates for home and community based services covered by certain waiver programs. Additionally, DCH must submit a waiver request to authorize private institutions to qualify for medical reimbursement for mental health and substance use disorder treatment. Further, DCH must provide for payment for such care at private institutions with Medicaid funds after approval by CMS.

House Bill 305

National Standards for Massage Therapy Education

Sponsors: Representative Hawkins of the 27th and Senator of the Mullis of the 53rd

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 808)

This bill requires massage therapy education programs and continuing education instructors be approved by a national massage therapy certifying organization.

House Bill 412

Establishes Georgia Behavior Analyst Licensing Board; Provides for Licensing

Sponsors: Representative Dempsey of the 13th and Senator Brass of the 28th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 811)

This legislation establishes the Georgia Behavior Analyst Licensing Board and requires licensure of individuals in the practice of applied behavior analysis.

House Bill 937

Annual Notifications of Mammogram Coverage

Sponsors: Representative Henderson of the 113th and Senator Butler of the 55th

Effective Date: July 1, 2022 (Signed May 6, 2022; Act 827)

This bill requires insurers to annually notify female insureds ages 40 and older of mammogram screening coverage under their insurance plans.

House Bill 1013

Mental Health Parity Act

Sponsors: Representative Ralston of the 7th and Senator Strickland of the 17th

Effective Date: July 1, 2022 (Signed April 4, 2022; Act 587)

This bill amends Georgia Code to provide mental health and substance use disorder parity in areas relating to the courts, education, health, insurance, public officers and employees, mental health, and social services. This legislation requires every insurer that provides coverage for mental health or substance use disorders as part of a health care plan or as part of or optional endorsement to provide coverage for the treatment of mental health or substance use disorders in accordance with the federal Parity Act of 2008 for children, adolescents, and adults. Such coverage must be at least as extensive as the coverage provided for the treatment of other types of physical illnesses; apply applicable definitions when making medically necessary, prior authorization or utilization review determinations; require subcontractors or affiliates to comply with applicable parity requirements; and by January 1, 2023, and annually thereafter, provide an annual report containing a comparative analysis provided under the federal Parity Act. Additionally, this legislation also exercises Georgia’s option under 42 C.F.R. § 438.8 relating to medical loss ratios.

This bill further authorizes the issuance of cancelable loans to qualifying health care professionals and establishes a Behavioral Health Care Workforce Data Base of behavioral health care professionals. This legislation also establishes the following grant programs: (1) for assisted outpatient treatment programs in Georgia; (2) to help fund accountability courts that serve the mental health and co-occurring substance use disorder population to facilitate trauma-informed treatment; and (3) to help pay for costs associated with transporting individuals to and from emergency receiving, evaluating, and treatment facilities.

This bill also authorizes a peace officer to take any person to an emergency receiving facility if the peace officer has probable cause to believe that the person is a mentally ill person, an alcoholic, a drug dependent individual, or drug abuser requiring involuntary treatment, and the peace officer has consulted either in-person or via telephone or telehealth with a physician, and the physician authorizes the peace officer to transport the individual for an evaluation. This legislation provides that any subsequent transport of a mentally ill person, an alcoholic, a drug dependent individual, or drug abuser to and from an emergency receiving facility must be coordinated by such a facility with a law enforcement agency or a qualified private nonemergency transport provider or ambulance service.

This bill also authorizes a county where a mental health court division has been established to use money collected and placed in its County Drug Abuse Treatment and Education Fund to help fund these mental health courts that also serve participants with co-occurring substance use disorders. Under this legislation, the Board of Public Safety is authorized to (as part of the Georgia Public Safety Training Center) establish, operate, and maintain behavioral health co-responders. This bill further requires the State of Georgia to provide funding for a minimum of five new co-responder programs established pursuant to Title 37 relating to mental health.

This legislation further requires DBHDD to establish a MATCH team composed of various relevant departments who facilitate the collaboration across state agencies to explore resources and solutions for complex and unmet treatment needs for children in Georgia and to provide for solutions, including both public and private providers, as necessary, along with taking referrals from local interagency children's committees. Finally, this bill requires DCH to provide Medicaid coverage of prescription drugs for medically necessary treatment and prevention of mood disorders with psychotic symptoms, including, but not limited to, bipolar disorders, schizophrenia and schizotypal, or delusion disorders when certain conditions are met.

House Bill 1042

Grant Program to Establish Primary Care Facilities in Health Professional Shortage Areas

Sponsors: Representative Jasperse of the 11th and Senator Burke of the 11th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 815)

This legislation establishes a grant program through the OneGeorgia Authority for the creation of primary care medical facilities in health professional shortage areas.

House Bill 1069

Adult Residential Mental Health Services Licensing Act

Sponsors: Representative Williamson of the 115th and Senator Kennedy of the 18th

Effective Date: July 1, 2022 (Signed May 6, 2022; Act 829)

This bill authorizes DCH to classify all adult residential mental health programs within Georgia according to the character and range of services provided. This legislation defines "adult residential mental health program" as a subacute residential alternative service of four or more residential beds authorized to provide psychiatric services for mentally ill persons 18 years of age or older that operates 24 hours per day, 7 days per week to provide intensive short-term noninstitutional treatment to individuals who are temporarily in need of a 24-hour-per-day supportive therapeutic setting for prevention of, transition from, or after acute psychiatric hospitalization. Such a program does not include crisis stabilization units; community living arrangements; mental health programs conducted by accountability courts; or residential beds operated by a state or local public entity.

DCH is also required to promulgate rules and regulations that provide minimum standards of quality and services for each designated class of programs. DCH is further authorized to issue, deny, suspend, or revoke licenses or take other enforcement actions against licensees or applicants as provided under applicable laws. This legislation provides 15 areas where DCH must provide minimum standards in its

rules and regulations. DCH must also conduct on-site periodic inspections of these programs to verify compliance with all the relevant laws or regulations. The powers of the disability services ombudsman must include oversight of patients of adult residential mental health programs established under this bill.

House Bill 1086

Influenza Virus Vaccination for Discharged Patients 50 Years or Older

Sponsors: Representative Dempsey of the 13th and Senator Watson of the 1st

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 761)

This bill requires hospitals to offer inpatients 50 years or older the influenza virus vaccine prior to discharge.

House Bill 1186

Revised Licensing Provisions – Speech-Language Pathologists and Audiologists

Sponsors: Representative Houston of the 170th and Senator Kirkpatrick of the 32nd

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 838)

This bill authorizes persons who are not licensed audiologists to use otoacoustic emissions or auditory brainstem response technology as part of a screening process for the initial identification of communication disorders in individuals up to age 22.

House Bill 1219

Revise Composition of the Georgia Board of Dentistry

Sponsors: Representative Houston of the 170th and Senator Watson of the 1st

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 840)

This bill adds an additional six members to the Georgia Board of Dentistry. The revised composition of the Board is as follows:

- Thirteen members who are practicing dentists licensed in Georgia, appointed by the Governor;
- Two members who are dental hygienists practicing and residing in Georgia, appointed by the Governor;
- One member who is a citizen of Georgia and is not a dentist or dental hygienist, appointed by the Governor; and
- One member who is a resident of Georgia and has direct knowledge of the education of dental students in Georgia, appointed by the Board of Regents of the University System of Georgia.

House Bill 1304

Georgia Caregivers Act

Sponsors: Representative Hawkins of the 27th and Senator Burke of the 11th

Effective Date: July 1, 2022 (Signed May 6, 2022; Act 828)

This bill requires patients admitted to a hospital, to be given the opportunity to identify at least one lay caregiver to be involved in the discharge planning process. A lay caregiver is any individual 18 years of age or older, including next of kin, who is identified by the patient as someone who will provide aftercare assistance to the patient in the event the patient is discharged from the hospital. A patient may elect to change his or her lay caregiver by notifying the hospital. The identification of a lay caregiver by a patient does not obligate any individual to perform any aftercare tasks for the patient nor must this legislation be construed to require a patient to identify any individual as a lay caregiver. A hospital must notify a lay caregiver of the patient's discharge from the hospital as soon as practicable. Further, a hospital must also actively engage the patient and the lay caregiver in the discharge planning of the patient in order to provide the necessary education and training regarding the aftercare needs of the patient.

House Bill 1355

Amends the Childhood Lead Exposure Control Act

Sponsors: Representative Dempsey of the 13th and Senator Watson of the 1st

Effective Date: Upon the date of a specific appropriation (Signed May 2, 2022; Act 776)

This bill amends provisions related to blood lead concentrations to comport with nationally recognized guidelines. This legislation also amends definitions to adopt new blood lead concentrations levels and provisions relating to lead poisoning hazards.

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HIGHER EDUCATION

Senate Bill 333

Nonpublic Postsecondary Institutions – Tuition Guaranty Trust Fund

Sponsor: Senator Albers of the 56th and Representative Martin of the 49th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 789)

This bill revises various provisions related to nonpublic postsecondary educational institutions and the Tuition Guaranty Trust Fund. It removes all language from existing code related to agents and agent's permits and repeals definitions of such terms as they relate to nonpublic postsecondary educational institutions. It also revises the definition of “postsecondary activity” as it relates to nonpublic postsecondary educational institutions.

The bill also revises Fund participation requirements and other provisions regarding reimbursements and obligations related to the Fund. Current law provides that postsecondary educational institutions which were first authorized to operate in Georgia on or after July 1, 1990, are required to participate in the Fund for five years of continuous authorized operation and must provide surety bonds for the duration of that time. This bill requires such institutions to participate in the Fund for seven years of authorized operation, provided that no postsecondary educational institution first authorized to operate in this state on or after July 1, 1990, which fully participated in the fund for five years on or before January 1, 2022, will be required to participate in the fund for seven years as otherwise provided. Additionally, this bill requires financial assessments of institutions seeking initial or renewed authorization to operate and revises bonding requirements for nonpublic postsecondary educational institutions applying to operate or conduct postsecondary activities and gives the director discretion to impose or eliminate bond requirements based on such assessments. Any required bonds must have at least a B+ rating.

This bill eliminates the cap on the Fund, removes bankruptcy of a participating postsecondary educational institution as grounds for reimbursements from the Fund, and prohibits a single institution from using more than 10 percent of the Fund unless a higher percentage is authorized by a two-thirds majority vote of the Commission. Additionally, the bill authorizes the executive director to suspend a postsecondary educational institution's authority to operate when it does not meet its obligations regarding the Fund.

Senate Bill 397

State Approved High School Equivalency Diplomas

Sponsor: Senator Goodman of the 8th and Representative Meeks of the 178th

Effective Date: July 1, 2022 (Signed April 29, 2022; Act 726)

This bill provides that a HOPE high school equivalency voucher will be available to each eligible student who receives pre-certification from TCSG to take an approved examination seeking a diploma through the HSE program. Upon issuing such voucher, TCSG must invoice the Georgia Student Finance Commission in accordance with the commission's given procedures, providing for identification of each student and compliance with this programs. It also updates the standards and requirements for HSE diplomas awarded by TCSG. Current law requires that such standards be equal to the requirements for a GED diploma. This bill requires such standards be equal to the requirements established “by a nationally recognized college and career readiness standard for adult education.”

House Bill 1435

Needs-Based Financial Aid Program Expansion

Sponsor: Representative Martin of the 49th and Senator Burns of the 23rd

Effective Date: July 1, 2022 (Signed April 29, 2022; Act 725)

This bill updates several existing code provisions related to Georgia's needs-based financial aid program. Current law provides that a student is eligible to participate in this program if the student's family income is considered economically disadvantaged based on criteria established by GSFC. This bill expands eligibility criteria to include students with a financial aid gap. Current law provides for needs-based grants to eligible students for postsecondary education at qualified institutions. This bill clarifies that grants are limited to undergraduate level postsecondary education. Additionally, this bill provides that the maximum award amount per eligible student is \$2,500 total. Current law provides that in the event a student on whose behalf a grant is paid does not enroll as a full-time student for the academic semester for which the grant is paid, the qualified institution must refund such funds to GSFC. This bill clarifies that the refund must be made if a student does not enroll as a full-time *or part-time* student. Current law

authorizes the state auditor to conduct evaluations of qualified institutions to ensure compliance with relevant rules and regulations. This bill instead authorizes GSFC to conduct such evaluations and further authorizes the commission to suspend a qualified institution from receiving payments if it fails to refund grant funds as required by law. It also requires GSFC to collect and monitor enrollment data for the needs-based financial aid program. This bill sunsets on June 30, 2025.

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INSURANCE AND LABOR

Senate Bill 331

Protecting Georgia Businesses and Workers Act

Sponsors: Senator Albers of the 56th and Representative Ballinger of the 23rd

Effective Date: Upon the Governor's Approval (Signed May 5, 2022; Act 823)

This bill prohibits a local governments from regulating employee hours, scheduling, or output during work hours. The bill also clarifies circumstances where this legislation does not apply, including but not limited, to a local government's ability to regulate its own employees or regulate or limit the hours a business may operate.

Senate Bill 341

Prior Authorization for Medications to Treat Chronic Conditions

Sponsors: Senator Kirkpatrick of the 32nd and Representative Newton of the 123rd

Effective Date: Applies to all contracts entered or renewed on and after January 1, 2023 (Signed May 6, 2022; Act 830)

This bill requires prior authorizations of medications for chronic conditions to be valid for a year. Additionally, this legislation provides for certain exceptions, including but not limited to, medications that are prescribed for nonmaintenance conditions and medications that have a typical treatment period of less than 12 months.

Senate Bill 566

Medical or Traumatic Condition Includes Mental Health Condition or Substance Use Disorder

Sponsors: Senator Burke of the 11th and Representative Taylor of the 173rd

Effective Date: Applies to all contracts entered or renewed on or after July 1, 2022 (Signed May 12, 2022; Act 867)

This legislation amends the various definitions governing emergency health care services in the Surprise Billing Act and the Preferred Provider Arrangements Act to include mental health conditions, substance use disorders, and medical services rendered after a patient is stabilized. This legislation also clarifies that the Surprise Billing Act does not affect a covered person's financial responsibilities or a nonparticipating facility's rights with respect to nonemergency medical services received from a nonparticipating facility.

Senate Bill 605

Authorizes Nonprofits to make Installment Payments for Unemployment Benefits

Sponsors: Senator Burke of the 11th and Representative Gambill of the 15th

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 852)

This bill allows certain nonprofit organizations to make installment payments in lieu of contributions between January 1, 2020, and January 1, 2022 to the Unemployment Trust Fund during the COVID-19 public health emergency.

House Bill 389

Employment Security: Amends the Term Employment and Provides for Civil Penalties

Sponsors: Representative Jones of the 25th and Senator Strickland of the 17th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 809)

This legislation amends the exceptions to the definition of employment as it relates to employment security so that not only must the individual be free from control or direction over the performance of their services (this includes both under the individual's contract of service and the actual practice between the parties) but it must also be demonstrated that the individual:

1. Is not prohibited from working for other companies or holding other employment at the same time;
2. Is free to accept or reject work assignments without consequence;

3. Is not prescribed minimum hours to work or, in the case of sales, does not have a minimum number of orders to be obtained;
4. Has the discretion to set his or her own work schedule;
5. Receives only minimal instructions and no direct oversight or supervision regarding the services to be performed, such as the service location and any requested deadlines;
6. When applicable, has no territorial or geographic restrictions; and
7. Is not required to perform, behave, or act or, alternatively, is compelled to perform, behave, or act in a manner related to the performance of services for wages which is determined by the Commissioner to demonstrate employment.

Additionally, this bill also clarifies that ride share network services and music industry professionals are exempt from the definition of employment. This bill further establishes civil penalties for improper classification of an individual's employment status.

House Bill 733

Guaranteed Asset Protection Waivers; Diagnostic Breast Examinations

Sponsors: Representative Smith of the 18th and Senator Anavitarte of the 31st

Effective Date: Part I applies to all contracts entered or renewed on and after July 1, 2022;

Part II applies to all contracts entered or renewed on and after January 1, 2023

(Signed May 6, 2022; Act 826)

Part I of this bill authorizes certain property insurers to offer a reduction of some or all of the amounts due on a consumer's finance agreement in the event of a total physical damage loss or unrecovered theft of the motor vehicle. This legislation also authorizes guaranteed asset protection waivers to be offered with or without a separate charge. This bill further authorizes guaranteed asset protection waivers to waive an amount, or provide a borrower with a credit, toward the purchase of a replacement vehicle.

Part II of this bill requires insurers who cover diagnostic examinations for breast cancer to keep the cost-sharing requirements no less favorable than those for screening mammography for breast cancer.

House Bill 969

Align Insurance Holding Companies' Regulations with NAIC Standards

Sponsors: Representative Smith of the 18th and Senator Burke of the 11th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 753)

This legislation requires insurers to submit to the Insurance Commissioner an annual group capital calculation and the results from the NAIC Liquidity Stress Test in accordance with the NAIC' standards. This bill also amends standards relating to transactions by registered insurers with affiliates and what constitutes confidential information or documents obtained by DOI.

House Bill 1021

Decreases the Minimum Nonforfeiture Interest Rate for Deferred Annuity Contracts

Sponsors: Representative Lumsden of the 12th and Senator Burke of the 11th

Effective Date: Applies to all contracts entered or renewed on and after July 1, 2022

(Signed May 2, 2022; Act 756)

This bill decreases the minimum interest rate for individual deferred annuity contracts from one percent to 0.15 percent per annum.

House Bill 1059

Authorizes Insurers to Offer Value-Added Products or Services

Sponsors: Representative Gambill of the 15th and Senator Walker of the 20th

Effective Date: Applies to all contracts entered or renewed on and after July 1, 2022

(Signed May 2, 2022; Act 760)

Pursuant to current Georgia law, when an insurer or its agents offers or provides a value-added product or service not specified in the insurance coverage, such products or services are considered unfair trade practices or unlawful inducements. This bill authorizes an insurer to offer or provide such products or services at no or reduced cost when the following conditions are met:

1. The value-added product or service relates to insurance coverage;
2. The value-added product or service is offered in a manner that is not unfairly discriminatory;

3. The value-added product or service must have a reasonable cost in comparison to premiums or insurance coverage for that policy class; and
4. The value-added product or service must be primarily designed to:
 - A. Provide loss mitigation or loss control;
 - B. Reduce claim costs or claim settlement costs;
 - C. Provide education about liability risks or risk of loss to persons or property;
 - D. Monitor or assess risk, identify sources of risk, or develop strategies for eliminating or reducing risk;
 - E. Provide post-loss services; or
 - F. Encourage behavioral changes to reduce the risk of death or disability of a policyholder, potential policyholder, certificate holder, potential certificate holder, insured, potential insured or applicant.

Additionally, an insurer is authorized to implement pilot programs offering such products or services under certain conditions for one year unless the Insurance Commissioner objects.

House Bill 1195

Use of Statutory Accounting Principles for Annual Audits of Certain Funds

Sponsors: Representative Lumsden of the 12th and Senator Walker of the 20th

Effective Date: Upon approval by the Governor (Signed May 2, 2022; Act 768)

This bill authorizes group self-insurance funds to perform the annual audit of their books using statutory accounting principles as an alternative to generally accepted accounting principles.

House Bill 1276

DCH is required to Publish Statistical Reports on Data Relating to Certain State Health Plans

Sponsors: Representative Hawkins of the 27th and Senator Walker of the 20th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 771)

This legislation requires DCH to publish on its website a statistical report about the state health plans it administers.

House Bill 1308

Health Benefit Plan Sponsor to Consent to Electronic Delivery to Enrollee

Sponsors: Representative Williams of the 148th and Senator Walker of the 20th

Effective Date: Applies to all contracts entered or renewed on and after July 1, 2022 (Signed May 2, 2022; Act 773)

This bill authorizes a sponsor of a health benefit plan to consent on behalf of an enrollee to the electronic delivery of all communications related to the plan and health insurance identification card.

House Bill 1324

Amending Definitions Related to Emergency Health Care Services

Sponsors: Representative Camp of the 131st and Senator Kirkpatrick of the 32nd

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 833)

This legislation amends the various definitions governing emergency health care services in the Health Code and Insurance Code to include mental health care services or conditions. This bill further amends these definitions with regard to the prudent layperson standard. According to this bill's legislative findings, Georgia recognizes the prudent layperson standard with regard to a patient's need for emergency health care services and requires insurers to adhere to this standard when deciding claims for emergency health care services. This legislation clarifies the "prudent layperson standard" by adopting the federal courts' recognition that this standard is not meant to look at any diagnosis given to the patient; rather the standard is to look at the patient's symptoms and determined whether a prudent layperson would think that emergency medical attention is necessary based on those symptoms.

House Bill 1409

Increases Workers' Compensation Benefits for Total and Temporary Disability

Sponsors: Representative Werkheiser of the 157th and Senator Kirkpatrick of the 32nd

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 781)

This bill increases the compensation benefits for temporary total disability to \$725.00, temporary partial disability to \$483.00, and the total compensation payable to a surviving spouse as a sole dependent for the death of an employee to \$290,000.00.

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JUDICIARY

Senate Bill 10

Prohibiting the Impersonation of an Officer of the Court or the Electronic Monitoring of a Person who has a Protective Order; License Suspensions for Failing to Appear

Sponsor: Senator E. Jones of the 10th and Representative T. Smith of the 18th

Effective Date: July 1, 2022 (Signed May 13, 2022; Act 868)

This bill revises the Code section prohibiting the impersonation of a peace officer, public official, or public employee to also prohibit a person from falsely holding themselves out to be an officer of the court with the intent to mislead another into believing they are an officer of the court. Another chapter of Title 16 defines “officer of the court” as a judge, attorney, clerk of court, deputy clerk of court, court reporter, or court interpreter. This bill also revises the Code section prohibiting certain wiretapping activities to also prohibit a person from placing, or causing to be placed, an electronic monitoring device on the motor vehicle of another who has a protective order against the person. There is an exemption for electronic monitoring for the inspection of personal care homes and unlicensed personal care homes. Finally, this bill provides judges with discretion to stop suspensions of drivers’ licenses for failure to appear for certain traffic offenses, and it allows judges to reinstate licenses without requiring the individual to pay DDS fees.

Senate Bill 164

HIV Testing; Revises Offenses by a Person Living with HIV; Repealing the Offense of Assault with Intent to Transmit HIV or Hepatitis

Sponsor: Senator Hufstetler of the 52nd and Representative Cooper of the 43rd

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 845)

This bill makes changes throughout the code to update Georgia’s law regarding HIV to reflect the current understanding of HIV. This bill revises the definition of “HIV test” in definitions regarding delinquency under the Juvenile Code and in definitions for the Chapter regarding clinical laboratories to eliminate the requirement that the test has been approved by Department of Community Health regulations. The bill revises the criminal statute regarding reckless conduct by a HIV infected person to the applicable maximum penalty from imprisonment for up to ten years to imprisonment for up to five years. Additionally, the bill strikes the current offense of assault with intent to transmit HIV or hepatitis. Furthermore, the bill revises the definition of “drug related object” and paraphernalia to provide that this term does not include a hypodermic needle or syringe in the context of criminal statutes prohibiting the possession or distribution of drug related objects or paraphernalia.

Senate Bill 226

Complaints Process for Material that is Harmful to Minors that is Available to Students

Sponsor: Senator Anavitarte of the 31st and Representative Burchett of the 176th

Effective Date: July 1, 2022 (Signed April 28, 2022; Act 720)

This bill requires each local board of education to adopt a complaint resolution policy for its local school system to be used to address complaints submitted by parents or permanent guardians alleging that material that is harmful to minors has been provided or is currently available to a student enrolled in the local school system who is the child of such parent or permanent guardian. The bill defines the phrase “harmful to minors” to mean that quality of description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it: (1) taken as a whole, predominantly appeals to the prurient, shameful, or morbid interest of minors; (2) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and (3) is, when taken as a whole, lacking in serious literary, artistic, political, or scientific value for minors.

The principal or their designee must review and investigate the allegations in the complaint and determine whether student access to the material should be removed or restricted. The bill provides an appellate process for challenging the determination of the principal or designee to the local school board, and requires local school boards to publish the titles of challenged works that the board determines are not harmful to minors. Finally, this bill requires the Department of Education to promulgate a model policy for the complaint resolution process.

Senate Bill 319

Constitutional Carry: The “Chairman John Meadows Act”

Sponsor: Senator Anavitarte of the 31st and Representative Ballinger of the 23rd

Effective Date: Upon Governor’s Approval (Signed April 12, 2022; Act 596)

This bill authorizes “lawful weapons carriers” to possess a firearm without a weapons carry license in all places Georgia law presently allows individuals to carry with a Georgia weapons carry license. A lawful weapons carrier is defined as a person who is: (A) Licensed or eligible for a license pursuant to O.C.G.A. § 16-11-129 and is not otherwise prohibited by law from possessing a weapon or a long gun; (B) A citizen of another state who would otherwise be eligible to obtain a license; or (C) Licensed to carry a weapon in any other state. The bill goes throughout the Code to any section that makes reference to a person carrying a license pursuant to O.C.G.A. § 16-11-129 and replaces that reference with a lawful weapons carrier, and removes any reference to requiring a person to have a license to carry. Finally the bill removes restrictions from carrying in parks or universities that prohibit carrying long guns or other weapons.

Senate Bill 332

“Inform Consumers Act”

Sponsor: Senator Albers of the 56th and Representative Gaines of the 117th

Effective Date: January 1, 2023 (Signed May 4, 2022; Act 820)

This bill requires any online marketplace doing business in Georgia to require that certain information be provided by a seller within ten days of becoming a high-volume third-party seller and for the online marketplace to request updated information or confirmation that the information has not changed on at least an annual basis. Required information includes a bank account and contact information. The bill defines high-volume third party seller as any third party seller who in any continuous 12 month period in the past 24 months has made 200 or more discrete transactions of new or unused consumer products of an aggregate total of \$5,000 or more in gross revenue in Georgia. The bill requires online marketplaces to require conspicuous disclosure of certain identifying information relating to high-volume third-party sellers with over \$20,000 in annual gross revenue to consumers, including their full name, physical address, and contact information. This bill requires the protection of the information and documents that are disclosed. Finally, this bill provides enforcement mechanisms for violations, including allowing the Attorney General to seek injunctive relief, protective orders, damages, and public remedies under the Fair Business Practices Act.

Senate Bill 395

Additional Superior Court Judge for the Mountain Judicial Circuit

Sponsor: Senator Hatchett of the 50th and Representative Gunter of the 8th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 792)

This bill increases the number of superior court judges for the Mountain Judicial Circuit from two to three judges. The additional judge will be appointed by the governor for a term beginning on January 1, 2023 and expiring on December 31, 2024. A non-partisan judicial election will be held in 2024.

Senate Bill 441

The “Criminal Records Responsibility Act”; Authorize GBI to Investigate Election Crimes

Sponsor: Senator Hatchett of the 50th and Representative Burchett of the 176th

Effective Date: July 1, 2022 (Signed April 27, 2022; Act 717)

This bill requires clerks of superior and state courts to provide for criminal e-file pursuant to the rules of the Council of Superior Court Clerks of Georgia. In order to ensure all required criminal justice information is transmitted, this bill requires the transmission of fingerprints, photographs and other criminal data regardless of whether the Georgia Crime Information Center has requested the information and provides that prosecutors are responsible for ensuring disposition is transmitted to GCIC. The bill provides certain reporting requirements for GCIC, and authorizes the Georgia Technology Authority to

release funds to facilitate this data exchange. Additionally, the bill reestablishes the Criminal Case Data Exchange Board as a 14 member board of stakeholders to participate in the review and improvement of Georgia's criminal case data exchange and management system, requiring various reports regarding criminal e-file, criminal data exchange and automated victim notification.

This bill also provides original jurisdiction to the GBI to investigate election crimes, and provides enforcement mechanisms to effectuate that jurisdiction.

Senate Bill 493

Time-Share Lien Foreclosure and Foreclosure by Sale by Owner's Association

Sponsor: Senator Mullis of the 53rd and Representative Gunter of the 8th

Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 798)

This bill adds a new Code section authorizing a time-share owners' association to foreclose its lien upon a time share estate for failing to pay assessments or fees in accordance with Code Section 44-3-109 or to foreclose its lien under a power of sale. Such power of sale of a time-share estate would be for the purpose of paying all unpaid assessments and other charges owed by the owner of the time-share estate. The bill provides certain notice requirements and lien priorities.

Senate Bill 500

Statewide Opioid Settlement

Sponsor: Senator Strickland of the 17th and Representative Burchett of the 176th

Effective Date: Upon the Governor's Approval (Signed May 2, 2022; Act 729)

This bill creates a new Code chapter providing that statewide opiate agreements entered into between the State of Georgia and opioid manufactures, distributors, retailers, labelers, marketers, pharmacies, or other entities will release such opioid businesses from all past, present, and future liability from all Georgia government entities if certain conditions are met. The bill does not apply to certain ongoing bellwether claims, which will be allowed to proceed.

Senate Bill 543

Forfeiture by Wrongdoing in Torts Recovering for the Homicide of a Child

Sponsor: Senator Halpern of the 39th and Representative Rich of the 97th

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 847)

This bill provides that the right to recover in a tort suit for the homicide of a child will be controlled by the Georgia slayer statute, which provides that an individual whose actions constitute murder or voluntary manslaughter forfeits the right to take an interest in the estate of the decedent or serve as a personal representative or trustee of the decedent's estate. This forfeiture by wrongdoing includes any interest through intestacy, year's support, will, deed, power of appointment, or by any other conveyance.

Senate Bill 565

Revising The Survivor's First Act

Sponsor: Senator Strickland of the 17th and Representative Burchett of the 176th

Effective Date: Upon Governor's Approval (Signed May 9, 2022; Act 864)

This bill revises the Survivor's First Act to allow petitions to be filed at any time and provides that the Georgia Crime Victims Emergency Fund will be responsible for the return of fines and fees paid by the defendant, subject to the availability of funds, and provides: (1) The Criminal Justice Coordinating Council must promulgate rules related to the return of fines and fees in coordination with stakeholders who ordinarily collect fines and fees; (2) Any payment made from the fund creates a debt due from the entity that received the payment; (3) If the entity forwarded any portion of the fines or fees, the secondary entity must return the forwarded amount; and (4) The funds repaid to the Georgia Crime Victims Emergency Fund must be paid into the fund.

Senate Bill 576

Visitation by Grandparents

Sponsor: Senator Strickland of the 17th and Representative Dickey of the 140th

Effective Date: July 1, 2022 (Signed May 12, 2022; Act 866)

This bill revises Georgia law to provide a court can order grandparental visitation if the court finds by clear and convincing evidence that the health or welfare of the child would be harmed unless such visitation is granted and the best interest of the child would be served by such visitation. The bill provides

that the mere absence of an opportunity for a child to develop a relationship with a grandparent does not harm the health or welfare of a child when there is not substantial preexisting relationship between the child and such grandparent. The bill further provides that courts must give deference to a parent's decision regarding grandparent visitation, but such decision must not be conclusive when failure to provide visitation would result in emotional harm to the child. The bill allows for a rebuttable presumption by the court that a child who is denied any contact or not provided some minimal opportunity for contact with grandparents with whom the child had a pre-existing relationship may cause emotional injury that is harmful to the child's health.

House Bill 1

The Forming Open and Robust University Minds ("FORUM") Act

Sponsor: Representative Bonner of the 72nd and Senator Thompson of the 14th

Effective Date: July 1, 2022 (Signed May 3, 2022; Act 818)

The bill provides that unrestricted outdoor areas of campuses of public institutions of higher education in Georgia, including technical colleges, are public forums for the campus community, and public institutions of higher education cannot create "free speech zones" or other designated areas of campus outside of which expressive activities are prohibited for the campus community. Public institutions of higher education may maintain and enforce reasonable time, place, and manner restrictions narrowly tailored in service of a significant institutional interest only when such restrictions employ clear, published, content- and viewpoint-neutral criteria, and provide for ample alternative means of expression. However, any such restrictions must allow for the members of the campus community to spontaneously and contemporaneously assemble and distribute literature. Public institutions of higher education must make public in their handbooks, on their websites, and through their orientation programs for students the policies, regulations, and expectations of students regarding free expressive activity.

House Bill 56

Additional Superior Court Judge for the Blue Ridge Judicial Circuit

Sponsor: Representative Cantrell of the 22nd and Senator Thompson of the 14th

Effective Date: Upon Governor's Approval for the purpose of appointing an additional judge; January 1, 2023 for all other purposes (Signed May 2, 2022; Act 736)

This bill increases the number of superior court judges for the Blue Ridge Judicial Circuit from three to four judges. The additional judge will be appointed by the governor for a term beginning on July 1, 2022 and expiring on December 31, 2024. A non-partisan judicial election will be held in 2024.

House Bill 383

Boycott of Israel and Certain State Contracts

Sponsor: Representative Carson of the 46th and Senator Kirkpatrick of the 32nd

Effective Date: July 1, 2022 (Signed February 21, 2022; Act 515)

Georgia law presently prohibits the state from entering into contracts worth over \$1,000 related to construction or the provision of services, supplies, or information with any individual or company unless that contract includes a written provision that the individual or company is not currently engaged in, and agrees for the duration of the contract not to engage in, a boycott of Israel. This bill revises the law to eliminate the requirement for individuals, raise the required contract value to \$100,000, and requires companies to have five employees to trigger the requirement.

House Bill 464

Petition for Appointment of a Temporary Guardian for a Minor

Sponsor: Representative Scroggins of the 14th and Senator Mullis of the 53rd

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 742)

This bill revises the wording of the standard for determination regarding the appointment of a temporary guardian for a minor, provides that the probate court has the discretion to transfer the matter to the juvenile court, and provides that an order transferring the petition to juvenile court is a proper order under the Georgia law providing concurrent jurisdiction for probate and juvenile courts regarding the establishment or termination of parental rights. This bill also revises Georgia law relating to the assessment and payment of costs, compensation, fees, and expenses so that the court can consider the conduct of the parties and provides a definition for "abuse, neglect, or exploitation" to be used in the court's assessment.

House Bill 478**Revising Expert Witness Qualification Standards****Sponsor: Representative Rich of the 97th and Senator Strickland of the 17th****Effective Date: July 1, 2022 (Signed May 2, 2022; Act 743)**

This bill requires the application of the *Daubert* standard to civil cases and criminal cases, instead of just being required in civil cases. The bill also revises the requirements for the admission of expert testimony to track with the Federal Rules of Evidence. This bill clarifies that the affidavit required for expert testimony by the civil practice act will still only apply to civil cases.

House Bill 620**Settlements Involving Minors****Sponsor: Representative Leverett of the 33rd and Senator Hatchett of the 50th****Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 745)**

This bill raises the threshold under current law for when a conservator is required for a minor to receive a settlement from \$15,000 to \$25,000, requires the adult who receives a settlement for a minor to act as a fiduciary for the minor, and revises the bonding requirements.

House Bill 624**Additional Superior Court Judge of the South Georgia Judicial Circuit****Sponsor: Representative D. Taylor of the 173rd and Senator Kennedy of the 18th****Effective Date: Upon Governor's Approval for the purpose of appointing an additional judge; January 1, 2022 for all other purposes (Signed May 2, 2022; Act 746)**

This bill increases the number of superior court judges for the Blue Ridge Judicial Circuit from two to three judges. The additional judge will be appointed by the governor for a term beginning on July 1, 2022 and expiring on December 31, 2024. A non-partisan judicial election will be held in 2024.

House Bill 752**"Psychiatric Advance Directive Act"****Sponsor: Representative Cooper of the 43rd and Senator Kennedy of the 18th****Effective Date: July 1, 2022 (Signed May 9, 2022; Act 836)**

This bill provides for psychiatric advance directives, similar to the advanced directive for health care that Georgia law has provided for since 2007, which allow competent adults to make decisions about their treatment in advance. This bill provides limits on liability for providers, facilities, and agents complying with psychiatric advance directives in good faith. The bill further provides a form for psychiatric advance directives and makes conforming changes throughout the Code to give effect to psychiatric advance directives.

House Bill 916**Superior and State Court Appellate Practice Act****Sponsor: Representative Leverett of the 33rd and Senator Kennedy of the 18th****Effective Date: July 1, 2023 (Signed May 13, 2022; Act 875)**

This bill repeals and replaces Georgia law regarding certiorari and appellate jurisdiction of superior courts with a uniform procedure for superior and state courts to review decisions of lower judicatories, inferior courts and quasi-judicial entities. The bill provides a process where litigants can file a single petition for review and have their appeal heard on the merits. The bill provides the requirements for lower judicatories in providing a record to the reviewing court and makes conforming changes throughout the Code to give effect to the new appellate practice procedures.

House Bill 961**Apportionment of Damages among Joint Tort-Feasors in Single Defendant Cases****Sponsor: Representative Efrat of the 104th and Senator Kennedy of the 18th****Effective Date: Upon Governor's Approval (Signed May 13, 2022; Act 876)**

Current Georgia law allows, in cases brought against more than one person, the trier of fact to apportion damages among the persons who are liable according to the percentage of fault of each person. This bill would allow for apportionment of damages in cases brought against a single person as well.

House Bill 974**Requiring Clerks to offer E-File for Deeds, Mortgages, Liens, Real Estate Maps, and State Tax Execution; Required Front Page Information for Deeds to Secure a Debt****Sponsor: Representative Gullett of the 19th and Senator Robertson of the 29th****Effective Date: July 1, 2023 (Signed May 2, 2022; Act 754)**

This bill provides that superior court clerks must offer electronic filing for deeds and other real estate instruments. The bill requires clerks of superior court to make available a public terminal to provide a filer with access to the Georgia Superior Court Clerks' Cooperative Authorities electronic filing portal, and provides that an incorrect or missing tax parcel ID number will not affect the validity, enforceability, or priority of the instrument. The bill also prohibits bill of sales to secure a debt from being recorded without certain front page information being provided, but that this prohibition will not be a defense to foreclosure.

House Bill 1088**Time-Share Lien Foreclosure and Foreclosure by Sale by Owner's Association****Sponsor: Representative Gunter of the 8th and Senator Hatchett of the 50th****Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 762)**

This bill adds a new Code section authorizing a time-share owners' association to foreclose its lien upon a time share estate for failing to pay assessments or fees in accordance with Code Section 44-3-109 or to foreclose its lien under a power of sale. Such power of sale of a time-share estate would be for the purpose of paying all unpaid assessments and other charges owed by the owner of the time-share estate. The bill provides certain notice requirements and lien priorities.

House Bill 1134**Concurrent Authority for Prosecuting Attorneys and AG to Prosecute Gang Cases****Sponsor: Representative Efration of the 104th and Senator Kennedy of the 18th****Effective Date: July 1, 2022 (Signed April 25, 2022; Act 645)**

This bill revises the Georgia Criminal Street Gang and Terrorism Prevention Act to provide that prosecuting attorneys and the Attorney General of Georgia have concurrent authority to prosecute any criminal cases arising out of the Act. The bill provides that the Attorney General will have the authority to employ peace officers, with the authority to execute all powers of peace officers, for the purposes of investigating gang offenses.

House Bill 1183**Revising Escrow Requirements for Bondsmen and Revising Bond Forfeiture for Failing to Appear****Sponsor: Representative Gunter of the 8th and Senator Hatchett of the 50th****Effective Date: July 1, 2022 (Signed May 2, 2022; Act 766)**

This bill revises the escrow requirement for professional bondsmen that have been in operation in a county for more than 18 months by requiring bondsmen to post no more than five percent of their outstanding bail bond or \$1,000,000, whichever is less. Additionally, the bill revises the bond forfeiture process to ensure the statutory scheme that encourages a bondsman to find his principal and surrender the principal to the sheriff after the principal fails to appear operates as intended by allowing the bondsman to avoid paying some or all of the full face amount of the bond.

House Bill 1188**Unit of Prosecution for Child Molestation and Sexual Exploitation of Children and Prohibiting High-Risk Sex Offenders from Certain Online Activities****Sponsor: Representative Lott of the 122nd and Senator Hatchett of the 50th****Effective Date: July 1, 2022 (Signed April 25, 2022; Act 648)**

Responding to recent decisions by the Supreme Court of Georgia, this bill revises the criminal offenses of child molestation and sexual exploitation to clarify that each touching of a child and each medium of child pornography is its own offense. Additionally, this bill prohibits a high risk sex offender, as classified by the Department of Community Supervision, from accessing a commercial social media website to communicate, contact, or gather information on a person the offender believes is under the age of 16 or pose falsely as a person who is under the age of 16.

House Bill 1216

Revising Fleeing and Attempting to Elude a Police Officer

Sponsor: Representative McDonald of the 26th and Senator Hatchett of the 50th

Effective Date: July 1, 2022 (Signed April 25, 2022; Act 646)

This bill revises the fleeing and eluding a police officer statute by (1) increasing the graduated punishments, and providing the fourth offense will be a felony; (2) adding more predicate offenses to make fleeing and attempting to elude a police officer an automatic felony; and (3) increasing the sentencing range for felony fleeing and eluding a police officer to between five and ten years and requiring a fine between \$5,000 and \$10,000. The bill also amends the prohibition against impersonating a law enforcement officer by prohibiting a person from using blue lights to resemble a law enforcement officer.

House Bill 1275

Term Lengths and Due Process for Removal of Municipal Court Judges

Sponsor: Representative Rich of the 97th and Senator Kennedy of the 18th

Effective Date: July 1, 2022 (Signed May 13, 2022; Act 880)

This bill clarifies Georgia law regarding the minimum term length of municipal court judges by requiring the minimum term of a municipal court judge to be one year from the date of appointment, but in the event of a vacancy, the local government may appoint a qualified individual for the remainder of the term. Additionally, the bill provides specific due process requirements for removing a municipal court judge, including (1) specific requirements for the removal petition; (2) a notice period for a removal hearing; (3) the judge's right to counsel at their expense; (4) the judge's right to a transcript at their expense; (4) a standard of evidence equivalent to a nonjury civil trial and (5) requiring a showing by preponderance of the evidence removal is warranted with a written basis for a decision to remove.

House Bill 1346

Allowing Clerks of Superior Court to Serve as Judge Advocates

Sponsor: Representative Ballinger of the 23rd and Senator Kirkpatrick of the 32nd

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 775)

This bill revises the general prohibition on clerks of superior court from practicing law to allow clerks to serve and offer advice as a judge advocate in any active or reserve component of the military or the Georgia State Defense Force.

House Bill 1361

Attorney General may defend any Challenged Act, Statute, Order, Regulation, or Franchise

Sponsor: Representative Leverett of the 33rd and Senator Kennedy of the 18th

Effective Date: Upon Governor's Approval (Signed March 4, 2022; Act 564)

This bill provides that in any litigation challenging an act, statute, order, regulation, or franchise of this state for declaratory judgment, as unconstitutional, or otherwise invalid, the Attorney General of Georgia must be served with a copy of the proceeding, and the AG will be allowed to be heard in the defense of the state action.

House Bill 1390

Prohibiting Retaliation against Complainants of Sexual Harassment in Local Governments

Sponsor: Representative Anulewicz of the 42nd and Senator Parent of the 42nd

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 779)

This bill provides a cause of action to any local government employee who has had adverse employment action against them for opposing sexual harassment, reporting sexual harassment, or participating in an action against sexual harassment. Such employees may pursue their claim in the same manner and seek the same relief as an employee reporting fraud, waste, or abuse. The bill, however, clarifies that nothing in the bill is intended to prevent a local government from taking corrective action against any individual who has engaged in sexual harassment.

House Bill 1405

The Zoning Procedures Law

Sponsor: Representative Roberts of the 52nd and Senator Parent of the 42nd

Effective Date: July 1, 2022 (Signed May 13, 2022; Act 881)

The Zoning Procedures Law provides the minimum procedures governing local governments' exercise of zoning powers within their respective territorial boundaries. Following a 2017 Supreme Court of Georgia

decision, there has been a lack of clarity in the ZPL regarding whether to file a writ of certiorari or a writ of mandamus to have decisions by the local government heard in superior court. This bill addresses that ambiguity by expressly providing what zoning decisions are legislative or quasi-judicial in nature, and provides the appellate process for each. Finally, the bill requires local governments to provide by ordinance which officer will be available at the regular office of the local government to approve and issue bonds and certificate of costs required for the appellate process.

House Bill 1428

Code Revision Commission Edits and Revisions to the Official Code of Georgia Annotated

Sponsor: Representative Efration of the 104th and Senator Strickland of the 17th

Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 782)

This bill incorporates numerous edits and corrections to the Official Code of Georgia Annotated as recommended by the Code Revision Commission. The Commission to revise, modernize, and correct errors or omissions in the Code or the laws of Georgia or to repeal portions of the Code or laws which have become obsolete, have been declared to be unconstitutional, or have been preempted or superseded by subsequent state or federal laws.

House Bill 1452

Revising Dating Violence Protective Orders

Sponsor: Representative Gaines of the 72nd and Senator Kennedy of the 17th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 784)

Current law allows courts to order protective relief to victims when an act of dating violence has occurred in the past and may occur in the future, but requires the dating relationship to have occurred in the past six months. This bill extends that period to 12 months.

House Bill 1461

Revising Annexation Dispute Process and Providing Notice to Landowners before Annexation

Sponsor: Representative Anderson of the 10th and Senator Hatchett of the 50th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 785)

Georgia law has provided an annexation dispute resolution process since 2007. This bill enacts some but not all of the recommendations from the 2021 House Study Committee on Annexation, including: notice requirements, uniform training for arbitrators, uniform procedures for arbitration, extended and stayed deadlines, uniform cost sharing requirements, and a database for arbitration decisions. Additionally, this bill provides that when a municipality annexes pursuant to application by owners of 60 percent of land and 60 percent of electors, the municipality must provide notice by mail to every landowner whose property is in the area proposed for annexation. The written notice required under this subsection must be mailed not less than 15 nor more than 45 days before the date of the hearing.

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NATURAL RESOURCES AND THE ENVIRONMENT

Senate Bill 469

Boating: Visual Distress Signals and Personal Flotation Devices

Sponsor: Senator Harper of the 7th and Representative Rhodes of the 120th

Effective Date: July 1, 2022 (Signed May 13, 2022; Act 872)

This bill requires all vessels operating on the coastal waters of Georgia at night to have either three unexpired pyrotechnic visual distress signals or one electric distress light on board. Additionally, the bill requires all vessels operating during the day have one orange flag daytime distress signal. These changes conform to the United States Coast Guard standards. The bill also alters the definition of "personal flotation device" to conform to United States Coast Guard standards.

Senate Bill 553

Water Vessels Operated by 15 Year Olds under Certain Circumstances

Sponsor: Senator Robertson of the 29th and Representative Collins of the 68th

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 848)

This bill authorizes a person who is 15 years of age or older to operate Class 1, Class 2, and Class 3 vessels on any state waters if the person: (1) has proper identification or an instruction permit; (2) is accompanied

by an adult 18 years of age or older, who is in or on the vessel, so long as the adult is authorized to operate a vessel; and (3) has met the applicable requirements relating to boating safety and education.

Senate Resolution 345

Renaming Shortline Trail to Bill and Dustie MacKay Trail; Supporting Resolution

Sponsor: Senator Hatchett of the 50th

Effective Date: July 1, 2022 (Signed May 3, 2022; Act 819)

The resolution renames the Shortline Trail, the Bill and Dustie MacKay Trail.

House Bill 343

Raises Minimum Fines for the First, Second, and Third Offenses of Hunting upon the Lands of Another without Permission or Written Permission When Required

Sponsor: Representative Rhodes of the 120th and Senator Goodman of the 8th

Effective Date: July 1, 2022 (Signed May 10, 2022; Act 861)

The bill raises the minimum fines for hunting upon the lands of another or entering upon the lands of another in pursuit of wildlife without permission. The minimum fines are raised from the current \$500 to not less than \$975 for the first offense; from \$1,000 to not less than \$2,000 for the second offense within a two year period; and from \$2,000 to \$3,000 for the third offense within a three year period.

House Bill 893

Hazardous Waste Trust Fund; Extend Period to Levy Fees

Sponsor: Representative Nix of the 69th and Senator Harper of the 7th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 749)

This bill extends the period of time hazardous waste fees will be levied by five years to July 1, 2027. The fees pay into the Hazardous Waste Trust Fund.

House Bill 1147

Raccoons and Opossums; No Seasonal Restrictions on Hunting or Trapping

Sponsor: Representative Rhodes of the 120th and Senator Harper of the 7th

Effective Date: Upon Governor's Approval (Signed May 10, 2022; Act 863)

This bill allows raccoons and opossums to be hunted or trapped year-round on non-public lands.

House Bill 1148

Possession of Cervid Carcass

Sponsor: Representative Rhodes of the 120th and Senator Harper of the 7th

Effective Date: July 1, 2022 (Signed May 10, 2022; Act 864)

Under current law, it is unlawful for any person to import or possess a whole cervid carcass or cervid carcass part from any state having a documented case of a cervid infected with chronic wasting disease, with limited, enumerated exceptions. The University of Georgia's Natural History website explains that the Family Cervidea includes deer, elk, and moose. "Chronic wasting disease" means a fatal disease that belongs to a group of diseases known as transmissible spongiform encephalopathies; it affects the brains of cervids. This bill removes the restriction for carcasses coming from a state with documented cervid with chronic wasting disease and replaces it with a restriction that no cervid carcasses or part may come from any place outside of Georgia, with limited exception. This bill also strikes most of the exceptions and replaces them with or reorganizes them to include: (1) Boned-out meat or products thereof; (2) Antlers, skulls, skull plates, teeth, or jawbones with no soft tissue attached; (3) Hides with no heads attached; and (4) Finished taxidermy mounts.

DNR has the authority to restrict the movement or transport of cervid carcasses, or carcass parts within the state if chronic wasting disease is detected in the state or any county adjacent to the borders of the state. The bill states that a violation of the movement restrictions put in place by the department will be considered a misdemeanor of a high and aggravated nature and will be punished by a fine of not less than \$1,500.00 nor more than \$5,000.00, imprisonment for a period not exceeding 12 months, or both such fine and imprisonment. Additionally, the hunting and fishing privileges of any person convicted of a violation will be suspended for not less than three years from the date of conviction.

House Bill 1233**Definition for Criminal Violations; Weapons for Hunting Migratory Birds; Creel and Possession Limits on Bass****Sponsor: Representative Rhodes of the 120th and Senator Harper of the 7th****Effective Date: July 1, 2022 (Signed May 2, 2022; Act 770)**

The bill changes the definition of which criminal violations are enforced by the EPD by incorporating those standards, rules, and regulations that are in force on January 1, 2022, instead of January 1, 2021. This bill also requires that a person hunting migratory game birds with a shotgun is limited to a shotgun with a capacity of not more than three shells in the magazine and chamber combined. Additionally, the plug must be of a single piece that cannot be removed through the loading end of the magazine. This bill further alters maximum daily creel and possession limits for varied bass species, including, Smallmouth Bass, Shoal Bass, Suwannee Bass, Spotted Bass or Kentucky Bass, and Redeye Bass or Coosa Bass.

House Bill 1349**Department of Natural Resources; Hunting on State Owned Land****Sponsor: Representative Ridley of the 6th and Senator Harper of the 7th****Effective Date: July 1, 2022 (Signed May 10, 2022; Act 860)**

Current law relating to hunting and fishing provides that DNR's land management decisions and action will not result in a net loss of land acreage available for hunting opportunities on department managed state owned lands in existence as of July 1, 2005. The bill changes the date to incorporate any department managed state owned lands in existence July 1, 2022.

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PUBLIC SAFETY

Senate Bill 358**Reimbursement for Basic Law Enforcement Training for Current and Former Military Members****Sponsors: Senator Kirkpatrick of the 32nd and Representative Blackmon of the 146th****Effective Date: July 1, 2022 (Signed April 25, 2022; Act 649)**

Current law authorizes GPSTC to reimburse local agencies for the training of police chiefs, department heads of law enforcement units, wardens of state institutions, emergency medical personnel, and communications officers, excluding travel expenses and salaries. This bill authorizes GPSTC to also reimburse active duty, retired, or honorably discharged members of the U.S. armed forces who are attending basic law enforcement training. Eligible costs include only the cost of tuition incurred in connection with training if the costs are not covered by any other resource available to the service members. Travel and salaries are excluded.

Senate Bill 404**GBI and FBI Retention of EMT Fingerprints****Sponsors: Senator Albers of the 56th and Representative Thomas of the 21st****Effective Date: July 1, 2022 (Signed May 2, 2022; Act 793)**

GCIC is required to obtain and file fingerprints and other pertinent identifying data on individuals for whom fingerprint based criminal history checks are authorized by Georgia or federal law in order to determine suitability or fitness for employment, placement, registration, a permit, or a license for an agency or qualified entity which is participating in the federal program that allows an ongoing review of each individual's criminal history. This bill provides that if DPH is participating in the program described above, the GBI and FBI are authorized to retain fingerprints obtained pursuant to the Code section relating to the certification of EMTs and use of conviction data in licensing decisions for the program, and DPH must notify the individual whose fingerprints were taken of the parameters of such retention.

Senate Bill 461**Human Trafficking Only Bailable by Superior Court****Sponsors: Senator Dixon of the 45th and Representative Lott of the 122nd****Effective Date: July 1, 2022 (Signed May 2, 2022; Act 795)**

This bill adds human trafficking to the list of offenses bailable only before a superior court.

Senate Bill 479**Revising Possession of Firearms by a Convicted Felon or First Offender Probationer; Each Firearm is a Separate Offense****Sponsors: Senator Hatchett of the 50th and Representative Lott of the 122nd****Effective Date: July 1, 2022 (Signed April 25, 2022; Act 647)**

In 2017, the Supreme Court of Georgia held in *Coates v. State*, 304 Ga. 329 (2017) that the Code section relating to the possession of a firearm by a convicted felon or first offender probationer unambiguously permits only one prosecution and conviction for the simultaneous possession of multiple firearms. This bill provides that when a convicted felon, or a first offender probationer who was sentenced for a felony, possesses multiple firearms, each firearm connected to the violation must constitute a separate offense.

Senate Bill 505**T-CPR Training and Continuing Education for Communications Officers****Sponsors: Senator Robertson of the 29th and Representative Gaines of the 117th****Effective Date: July 1, 2022 (Signed May 2, 2022; Act 800)**

This bill requires communications officers to complete training in the delivery of high-quality telephone cardiopulmonary resuscitation in addition to basic training beginning January 1, 2024. The bill also requires POST to conduct administrative compliance reviews regarding such training and to establish by January 1, 2024, an amount of continuing education units for communications officers to complete annually. Additionally, this bill requires any person becoming a director on or after January 1, 2024, to enroll in and complete training on the management of public safety answering points and the establishment and operation of 9-1-1 systems.

House Bill 203**Tybee Island Historical Society Special License Plate****Sponsors: Representative Petrea of the 166th and Senator Watson of the 1st****Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 737)**

This bill provides for a special license plate supporting the Tybee Island Historical Society.

House Bill 218**Expanding Weapons Carry License Reciprocity****Sponsors: Representative Ballinger of the 23rd and Senator Hatchett of the 50th****Effective Date: July 1, 2022 (Signed April 12, 2022; Act 597)**

Current law provides that a nonresident, or new resident for up to 90 days after becoming one, who is licensed to carry a weapon in any other state whose laws recognize and give effect to a license issued by Georgia is authorized to carry a weapon in Georgia as well. This bill removes the requirement that the other states' laws recognize and give effect to a Georgia weapons carry license, so that any nonresident, or new resident for up to 90 days after becoming one, who is licensed to carry a weapon in any other state is also authorized to do so in Georgia. It also requires the Attorney General to enter into an agreement with any state that requires an agreement to recognize and give effect to a Georgia weapons carry license.

House Bill 246**Driver's License and Permit Fees****Sponsors: Representative Watson of the 172nd and Senator Albers of the 56th****Effective Date: July 1, 2022 (Signed May 2, 2022; Act 738)**

This bill increases the replacement fee for an instruction permit and driver's license from \$5.00 to \$10.00. The fee for the initial issuance of a limited driving permit is increased from \$25.00 to \$32.00, while a renewal fee for such permit is increased from \$5.00 to \$10.00.

House Bill 275**Giving the Gift of Life Act****Sponsors: Representative McDonald of the 26th and Senator Albers of the 56th****Effective Date: July 1, 2022, and applies to all tax years on or after such date (Signed May 2, 2022; Act 793)**

This bill prohibits an insurer from canceling, modifying coverage, or refusing to renew or issue any life insurance policy solely because an individual is acting as a living organ donor that donated all or part of his or her liver, pancreas, kidney, intestine, lung, or bone marrow. This bill also increases a living donor's

tax deduction from an amount equal to the actual amount expended for organ donation expenses not to exceed \$10,000.00 to \$25,000.00 when incurred in accordance with the National Organ Procurement Act.

House Bill 963

Controlled Substances Schedule Update – Schedules I and IV

Sponsors: Representative Parrish of the 158th and Senator Burke of the 11th

Effective Date: Upon Governor's Approval (Signed May 13, 2022; Act 877)

This legislation represents the annual update to the state's Drug Schedules and adds and removes several drugs and substances to the Drug Schedules.

House Bill 1146

Removing Restriction for Georgia State Patrol Vehicles

Sponsors: Representative Lott of the 122nd and Senator Albers of the 56th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 765)

Current law prohibits the Georgia State Patrol from having more than two vehicles per post without exterior mounted roof lights. This bill repeals this prohibition.

House Bill 1433

Revising Membership of the Advisory Board of the Criminal Justice Coordinating Council

Sponsors: Representative Ballinger of the 23rd and Senator Parent of the 42nd

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 783)

This bill revises the CJCC advisory board to make the following changes: (1) removes youth workers from the council and replaces them with representatives of programs that are alternatives to incarceration; (2) removes individuals with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence and replaces them with people, licensed or certified by the applicable state, with expertise and competence in preventing and addressing mental health and substance abuse in delinquent youth and youth at risk of dependency; (3) adds representatives of victim or witness advocacy groups; (4) raises the current requirement that one-fifth of the members must be under 24 years old up to 28 years old; and (5) changes the current requirement that at least three members must have been or currently be under the jurisdiction of Georgia's juvenile justice system, so that if the existing provision is not feasible and in appropriate circumstances, there will be a parent or guardian of a person who has been or is currently under the jurisdiction of the system.

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REAPPORTIONMENT

Senate Bill 472

Public Service Commission Election Districts

Sponsors: Senator Kennedy of the 18th and Representative Rich of the 97th

Effective Date: Upon Governor's Approval (Signed March 04, 2022; Act 565)

The PSC consists of five members, each of whom are elected to serve one of five districts. This bill revises the boundaries of each election district. Members will be elected based on these new districts beginning in November of 2022.

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REGULATED INDUSTRIES AND UTILITIES

Senate Bill 438

Water and Sewer Facilities Construction; Retention of Payment Guidelines

Sponsor: Senator Tippins of the 37th and Representative Gunter of the 8th

Effective Date: July 1, 2022 (Signed May 13, 2022; Act 871)

The bill applies to any public works water or sewer facility construction contracts entered into after July 1, 2022. The bill lowers the allowable percentage of payment retention from 10 to five percent of the progress payment made to contractors, subcontractors, and lower tier subcontractors. The bill also

removes a provision preventing the holding of retainage when 50 percent of the contract value is due to contractors, subcontractors, and lower tier subcontractors and the progress is reasonably satisfactory.

The bill further removes the provision that allows for retainage when work occurs that is unsatisfactory or has fallen behind schedule. Retainage is defined by Black's Law Dictionary as a percentage of what a landowner pays a contractor, withheld until the construction has been satisfactorily completed and all mechanic's liens are released or have expired. The Code Section uses "Retainage" and "Retention" interchangeably.

House Bill 328

Right-of-Way Due Compensation Fees

Sponsor: Representative Momtahan of the 17th and Senator Gooch of the 51st

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 741)

This bill addresses due compensation fees relating to telephone companies operating in, upon, under, along, or over public roads and in right-of-ways. The bill adjusts the due compensation calculation for when a telephone company has retail end users. Further, the bill adjusts due compensation for when a telephone company does not have retail end users by removing GDOT fees, and establishing a one-time permit application fee, among other changes. Finally, the bill provides for due compensation in lieu of other fees, due compensation accrual rates, and due compensation limitations; and provides a civil penalty for unpaid due compensation to municipal authorities.

House Bill 476

Professional Engineers and Land Surveyors Act of 2021

Sponsor: Representative Washburn of the 141st and Senator Albers of the 56th

Effective Date: Upon Governor's Approval (Signed May 9, 2022; Act 835)

The bill replaces the Board of Registration for Professional Engineers and Land Surveyors with the Georgia Professional Engineers and Land Surveyors Board and provides for the transition. The bill provides for the board to have an Executive Director, and the duties and responsibilities associated with that role; and changes the License Renewal period and associated continuing education requirements.

House Bill 972

Professional Counselors, Social Workers, and Marriage and Family Therapists

Sponsor: Representative Belton of the 112th and Senator Brass of the 28th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 813)

This bill adjusts exemptions from licensing by adding and removing certain practices; removes the requirement for personal references for licensure applications, and replaces it with a requirement to have completed a graduate level course or equivalent; changes the education, experience, and training requirements for licensure in professional counseling; and raises fines for violations of the Act and provides that violators may be subject to both a fine and imprisonment.

House Bill 1049

State Board of Long-Term Care Facility Administrators

Sponsor: Representative LaHood of the 175th and Senator Hickman of the 4th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 816)

Current law provides that the State Board of Long-Term Care Facility Administrators consists of eleven members. The bill adds one member who is a nursing home administrator and one member who is a personal care home administrator or assisted living community administrator.

House Bill 1193

Reinstatement of Funeral Directors' Licenses and Apprenticeship Registrations

Sponsor: Representative Gambill of the 15th and Senator Brass of the 28th

Effective Date: Upon Governor's Approval (Signed May 9, 2022; Act 839)

The bill allows for the reinstatement of lapsed funeral directors' licenses and allows for more than two renewals of funeral directors and embalmers apprenticeship registrations.

House Bill 1372**Georgia Underground Facility Protection Act****Sponsor: Representative Smith of the 133rd and Senator Tippins of the 37th****Effective Date: September 1, 2022 (Signed May 2, 2022; Act 777)**

The bill relates to underground facilities that are buried in the right of way and provides guidance for digging in those rights of way. Publicly or privately owned railroad facilities are excluded from the bill's application. Additionally, it expressly includes underground traffic control devices and traffic management systems. This bill requires GDOT to participate in and cooperate with the Utilities Protection Center for purposes of receiving locate requests in GDOT's right of way for underground facilities. The bill requires an excavator to make an emergency 9-1-1 call to alert emergency services if they strike or damage an underground facility that carries gas or hazardous liquid. This bill also establishes that enforcement actions brought under the Georgia Utility Facility Protection Act will commence within three years from the date the probable violation is reported to the Public Service Commission.

House Bill 1441**Private Detectives and Private Security; Exemption for Additional Licensing of Certified Peace Officers****Sponsor: Representative Collins of the 68th and Senator Brass of the 28th****Effective Date: July 1, 2022 (Signed April 25, 2022; Act 651)**

This bill makes clarifying and conforming changes to license and exemptions given to private security officers and detectives who are POST-certified.

House Bill 1481**Dealer License Plates****Sponsor: Representative Jasperse of the 11th and Senator Miller of the 49th****Effective Date: Upon Governor's Approval (Signed May 9, 2022; Act 843)**

Current law allows for a car dealer to be issued dealer plates according to a specific schedule. Any dealer will be issued a master plate and two additional plates. Beyond that, each dealer may also be issued an additional plate for every 20 units sold in a calendar year. If no sales history is available, the department must issue a number of plates based on an estimated number of sales for the coming calendar year. Dealers are required to certify by affidavit to the department the number of retail and wholesale units they sell per year and may be required to provide supporting sales history for plates distribution based on future sales. The bill provides that until January 1, 2025, the allocation of additional number and classification plates to a dealer must be no less than the amount the dealer qualified for on January 1, 2020.

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RETIREMENT

Senate Bill 84**Peace Officers' Annuity and Benefit Fund – Eligibility for Communications Officers****Sponsor: Senator Albers of the 56th and Representative Camp of the 131st****Effective Date: July 1, 2022 (Signed April 25, 2022; Act 650)**

This bill expands membership eligibility in the Peace Officers' Annuity and Benefit Fund to include certain communications officers. Communications officers are defined as any persons employed by the state or a local governmental agency who receive, process, or transmit public safety information and dispatch law enforcement officers, firefighters, medical personnel, or emergency management personnel. To be eligible for membership in the Fund, communications officers must be certified or maintain compliance with rules and regulations prescribed by the POST Council. The bill also provides for funding this initiative. Currently, the Department of Revenue retains one percent of 9-1-1 charges collected. This bill reduces that amount to .25 percent and provides for the remittance of the remaining .75 percent to the POAB Fund.

Senate Bill 343

Credit for Forfeited Leave; Increased Rate of Employer 401(k) Contributions

Sponsor: Senator Hufstetler of the 52nd and Representative Carson of the 46th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 790)

Under current Georgia law, state employers must contribute the same amount of credit as would have been contributed by the employer had a member obtaining creditable service for forfeited annual and sick leave remained in state employment without change in compensation for a period of time equal to the amount of forfeited annual and sick leave for which creditable service is obtained. Under this bill, this provision will only apply to members whose retirements become effective prior to July 1, 2022.

Current Georgia law requires state employers to match employee contributions equal to 1 percent of such employee's salary into a 401(k) account. Thereafter, employers must contribute an amount equal to 50 percent of a member's contributions exceeding 1 percent of his or her salary, up to an additional 2 percent of the member's compensation. Under this bill, for any member contributing a percentage of his or her salary into a 401(k) account, employers must contribute an equal amount, up to a maximum of 5 percent.

Additionally, on or after July 1, 2022, for any member with five years or more of creditable service who contributes at least 5 percent of his or her salary into a 401(k) account, such member's employer must contribute an additional amount equal to 0.5 percent of the member's compensation for each year of such member's creditable service that exceeds five years. An employer's total rate of contribution must not exceed 9 percent of the member's total compensation.

House Bill 263

Updated Calculation of Actuarial Equivalents for Spousal Benefits – Probate Judges

Sponsor: Representative Scoggins of the 14th and Senator Hickman of the 4th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 739)

Under Georgia law, members of the Judges of the Probate Courts Retirement Fund may elect to receive a reduced benefit upon retirement so a designated beneficiary may continue to receive benefits after the member's death. The benefits payable to the member and ultimately to the designated beneficiary are intended to be actuarially equivalent to the total retirement payment that would have been paid had the member elected to receive his or her full monthly benefit. Current Georgia law requires the actuarial equivalent payments to be computed on the Group Annuity Table for 1951 using 5 1/2 percent interest. This bill provides that such actuarial equivalent payments must be calculated using an interest rate and current mortality table adopted by the board.

House Bill 385

Continued Benefits for Certain Rehired TRS Beneficiaries

Sponsor: Representative Blackmon of the 146th and Senator Goodman of the 8th

Effective Date: July 1, 2022 (Signed April 28, 2022; Act 724)

This bill allows certain TRS retirees who return to work full-time from July 1, 2022 through June 30, 2026 to continue receiving their retirement allowance and any applicable postretirement benefit adjustments. Eligible beneficiaries must be certified teachers of Pre-K through grade 12 with at least 30 years of creditable service in TRS and must be retired for at least one year before returning to work full-time. Beneficiaries rehired pursuant to this bill will not earn additional creditable service. Rehired members must have the primary responsibility of academic instruction of students in a classroom in an area of highest need as determined for the RESA in which such school system is assigned. GaDOE must determine the areas of highest need for each RESA. The designated areas of highest need must be reported annually to TRS beginning July 1, 2022 and ending July 1, 2025.

House Bill 824

Increased Contributions and Benefits – Georgia Legislative Retirement System

Sponsor: Representative Cantrell of the 22nd and Senator Robertson of the 29th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 747)

Under current law, active members of the Georgia Legislative Retirement System contribute a total of 8 ½ percent of their salary to the system. Retirees of LRS currently receive a monthly benefit of \$36 per month for each year of creditable service earned. This bill increases monthly contributions and monthly retirement benefits paid to current and future members of LRS. Members will contribute \$165 per month and, upon retirement, will receive a monthly benefit of \$50 per month for each year of creditable service

earned. Additionally, the presiding officer of the House of Representatives will contribute an additional \$660 per month. Upon retirement, the presiding officer will be eligible to receive an additional monthly benefit of \$200 per month for each year served as the presiding officer. This bill also makes conforming revisions to reflect these changes in Code provisions regarding prior service credit for military service under LRS.

House Bill 1056

Alternative Investments for the Georgia Firefighters' Pension Fund

Sponsor: Representative Hill of the 3rd and Senator Mullis of the 53rd

Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 759)

Current law provides that alternative investments by the Georgia Firefighters' Pension Fund may not in the aggregate exceed 10 percent of its assets at any time. This bill increases the allowed percentage for alternative investments by the Firefighters' Pension Fund to 15 percent of its assets. The bill also repeals Code Section 47-7-127, which provides definitions and ethical codes related to alternative investments by the Georgia Firefighters' Pension Fund.

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RULES

Senate Bill 87

Senator Jack Hill Veterans' Act

Sponsors: Senator Rhett of the 33rd and Representative Burns of the 159th

Effective Date: Upon Governor's Approval and applies to taxable years beginning on or after January 1, 2023 (Signed April 18, 2022; Act 642)

This legislation requires each Georgia income tax return form for taxable years beginning on or after January 1, 2023, to contain appropriate language, to be determined by the Revenue Commissioner, offering the taxpayer the opportunity to contribute to the Technical College System of Georgia Foundation. The instructions accompanying the income tax return form must contain a description of the purposes for which this fund was established and the intended use of moneys received from the contributions. DOR will determine annually the total amount contributed and transmit the amount to the TCSG Foundation, which is a nonprofit 501(c)(3) corporation that supports TCSG through marketing, advocacy, and fundraising to benefit college programs, faculty, and students. All contributions received by the organization must be used exclusively to award scholarships to TCSG to veterans with service-connected disabilities as such term is defined in 38 U.S.C. Section 101(16).

Senate Resolution 504

Recognizing Georgia's Native American Tribes: GBA to Plant Georgia Red Cedar Tree

Sponsor: Senator Mullis of the 53rd

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 854)

This resolution authorizes and directs the Georgia Building Authority to plant a Georgia red cedar tree upon State Capitol grounds in recognition of Native American Honor Day and the three Native American tribes of Georgia.

Senate Resolutions Creating Study Committees, Commissions:

Joint Study Committees

1. SR 463 - Joint Study Committee on the Electrification of Transportation (Senator Gooch of the 51st)
2. SR 477 - Joint Georgia Music Heritage Study Committee (Senator Mullis of the 53rd)

Senate Study Committees

1. SR 329 - Senate Study Committee on Excellence, Innovation, and Technology at Historically Black Colleges and Universities (Senator Halpern of the 39th)
2. SR 383 - Senate Study Committee on the Restoration of Veterans Nursing Facilities (Senator Kirkpatrick of the 32nd)

3. SR 428 - Senate Food Delivery App Study Committee (Senator Parent of the 42nd)
4. SR 450 - Senate Study Committee on Georgia Music Heritage (Senator Mullis of the 53rd)
5. SR 615 - Senate Property Owners' Associations, Homeowners' Associations, and Condominium Associations Study Committee (Senator James of the 35th)
6. SR 650 - Senate Study Committee to Review Education Funding Mechanisms (Senator Dugan of the 30th)
7. SR 659 - Senate Study Committee on Unsheltered Homelessness (Senator Summers of the 13th)
8. SR 741 - Senate Study Committee on the Creation of a Georgia Cybersecurity Force (Senator Anavitarte of the 31st)
9. SR 770 - Senate Study Committee on People with Intellectual and Developmental Disabilities and Waiver Plan Access (Senator Harrell of the 40th)
10. SR 802 - Senate Study Committee on Transparency in High School Athletic Associations (Senator Mullis of the 53rd)
11. SR 809 - Senate Development Authorities and Downtown Development Authorities Study Committee (Senator Burns of the 23rd)
12. SR 822 - Senate Study Committee on Economic Development and International Relations (Senator Mullis of the 53rd)

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SCIENCE AND TECHNOLOGY

Senate Bill 581

Georgia State Plane Coordinate System

Sponsors: Senator Walker of the 20th and Representative Jasperse of the 11th

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 850)

This bill replaces the Georgia Coordinate System of 1985 with the Georgia State Plane Coordinate System as the system used in Georgia to define boundaries and geographic locations.

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STATE AND LOCAL GOVERNMENTAL OPERATIONS

House Bill 826

Incorporation of the City of Lost Mountain

Sponsors: Representative Ehrhart of the 36th and Senator Tippins of the 37th

Effective Date: Upon Governor's Approval (Signed February 22, 2022; Act 517)

This bill will constitute the charter of the City of Lost Mountain, Georgia, contingent upon approval by the qualified voters of the proposed city on the general primary date of 2022. The legislation establishes the city government structure, its powers and duties, as well as its corporate limits (located in Appendix A of the legislation).

House Bill 840

Incorporation of the City of Vinings

Sponsors: Representative Carson of the 46th and Senator Kirkpatrick of the 32nd

Effective Date: Upon Governor's Approval (Signed February 23, 2022; Act 518)

This bill will constitute the charter of the City of Vinings, Georgia, contingent upon approval by the qualified voters of the proposed city on the general primary date of 2022. The legislation establishes the city government structure, its powers and duties, as well as its corporate limits (located in Appendix A of the legislation).

House Bill 841

Incorporation of the City of East Cobb

Sponsors: Representative Dollar of the 45th and Senator Albers of the 56th

Effective Date: Upon Governor's Approval (Signed February 15, 2022; Act 311)

This bill will constitute the charter of the City of East Cobb, Georgia, contingent upon voter approval by the qualified voters of the proposed city on the general primary date of 2022. The legislation establishes the city government structure, its powers and duties, as well as its corporate limits (located in Appendix A of the legislation).

House Bill 1385

Submission of Annexation Reports to Reapportionment Office

Sponsors: Representative Anderson of the 10th and Senator Hatchett of the 50th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 778)

Current law requires a clerk, city attorney, or other municipal government designee to submit a report to DCA and the county governing authority anytime the municipality annexes property. The report must be filed no more than 30 days following the last day of the quarter in which the annexation becomes effective, and must include several pieces of information.

In addition to the existing requirements, this bill requires the report to include a digital shapefile of the annexed area. If the municipality cannot produce the shapefile using its own GIS system, the county regional commission must assist. This bill further mandates that the report must be filed with the Legislative and Congressional Reapportionment Office of the General Assembly, as well as DCA and the county governing authority. Revisions reflecting this change are made throughout the Code. If the Reapportionment Office determines the report to be incomplete, it must notify the clerk, city attorney, or designee within 60 days after receipt of the report.

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STATE INSTITUTIONS AND PROPERTY

House Resolution 664

Lease and Conveyance of State-Owned Real Property

Sponsors: Representative Greene of the 151st and Senator Harbison of the 15th

Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 805)

This resolution authorizes the lease or conveyance of state-owned real property in Carroll, Chatham, DeKalb, Fulton, Hall, Lumpkin, Rabun, and Sumter Counties. This resolution gives the legal description of each property being sold or leased, as well as authorized conveyance amounts for each transaction.

House Resolution 683

Authorization of Easements on State-Owned Property

Sponsors: Representative Greene of the 151st and Senator Harbison of the 15th

Effective Date: Upon Governor's Approval (Signed May 2, 2022; Act 806)

This resolution authorizes the grant of non-exclusive easements in state-owned property located in Bartow, Douglas, Emanuel, Fulton, Gilmer, Gwinnett, Haralson, Paulding, Sumter, and Thomas Counties. These easements will be used for the construction, installation, operation, and maintenance of facilities, utilities, roads, and any ingress and egress within property owned by the state.

This resolution describes, in detail, the property being affected, the easement being authorized, the intended recipient of the easement, and various terms for each easement.

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TRANSPORTATION

Senate Bill 586

Authorizing the Use of Design-build Contracting Method by Counties

Sponsors: Senator Gooch of the 51st and Representative Jasperse of the 11th

Effective Date: July 1, 2022 (Signed May 9, 2022; Act 851)

This bill authorizes counties to use design-build procedure for projects that include buildings, bridges and approaches, rail corridors, technology deployments, and limited or controlled access projects or projects

that may be constructed within existing rights of way where the scope of work can be clearly defined or when a significant savings in project delivery time can be attained. This bill also provides that, when a county decides that it is in the best interests of the public, the county can combine any or all of the environmental services, utility relocation services, right of way services, design services, and construction phases of a public road or other project into a single contract using a design-build procedure. In contracting for design-build projects, a county is limited to contracting for no more than 50 percent of the total amount of construction projects awarded in the previous fiscal year. Any firm selected for a design-build project must self-perform at least 30 percent of the project.

Senate Resolution 596

Senate Road and Bridge Dedications

Sponsors: Senator Ginn of the 47th and Representative Prince of the 127th

Effective Date: Upon Governor's Approval (Signed May 9, 2022; Act 855)

This resolution represents the Senate's annual road and bridge dedications.

House Bill 1009

Personal Delivery Devices

Sponsors: Representative Jones of the 25th and Senator Gooch of the 51st

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 814)

This bill establishes the legal framework for the operation of personal delivery devices, which it defines as a powered vehicle that utilizes an automated driving system to transport cargo, is not designed to transport passengers, and has a maximum unladen weight of 500 pounds or a maximum weight of 600 pounds when carrying any cargo. Some significant provisions include: (1) establishing speed limits, right of way, and parking restrictions; (2) adding travel by personal delivery devices to the designated uses for bicycle lanes and paths; (3) prohibiting the use of a personal delivery device for carrying any hazardous materials; (4) requiring operators to maintain general liability coverage; (5) mandating a braking system, lights, and an identification number and contact phone number for operators; (6) providing for a civil monetary penalty; and (7) prohibiting or authorizing local authorities to enact or enforce certain ordinances or resolutions.

House Bill 1011

Low-speed Vehicles Amber Strobe Light Permit Exemption

Sponsors: Representative Hogan of the 179th and Senator McNeill of the 3rd

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 755)

Current law requires the Commissioner of Public Safety to designate emergency vehicles as such by issuing a permit to operate flashing or revolving emergency lights of the appropriate color. A permit is valid for one year from the date of issuance, but permits for vehicles belonging to federal, state, county, or municipal governmental agencies are valid for five years from the date of issuance. This bill extends the validity of all permits from one year to five years from the date of issuance. Current law also provides that low-speed vehicles must be issued a permit by the county of registration to operate strobe lights. This bill repeals that requirement.

House Bill 1055

All-terrain Vehicle Definition

Sponsors: Representative Ridley of the 6th and Senator Gooch of the 51st

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 758)

This bill expands the dry weight permissible for classification as an all-terrain vehicle from 2,500 pounds or less to 3,500 pounds or less.

House Bill 1089

Increasing Penalty for Certain Violations of Registration Requirements for Motor Vehicles Operated by Motor Carriers

Sponsors: Representative Smith of the 133rd and Senator Tippins of the 37th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 763)

Under current law, whenever any motor carrier operates a motor vehicle in violation of relevant registration provisions, the motor carrier is subject to a penalty of \$25.00 for each motor vehicle in violation. This bill increases the penalty to \$145.00 for each motor vehicle in violation.

House Bill 1103

Heavy-duty Equipment Motor Vehicles

Sponsors: Representative Cheokas of the 138th and Senator Thompson of the 14th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 764)

This bill defines “heavy-duty equipment motor vehicle” as a motor vehicle with all its attachments and parts which is self-propelled, weighs 1,500 pounds or more, and is primarily designed and used for construction, industrial, maritime, or mining uses, provided that such motor vehicles are not required to be registered and have a license plate. Current law defines “motor vehicle rental company” as an individual or business entity whose business activity is renting motor vehicles to consumers under rental agreements for periods of 90 days or less or renting heavy-duty equipment motor vehicles. This bill clarifies that the heavy-duty equipment motor vehicles are under rental agreements for periods of less than 365 days or under open-ended agreements.

House Bill 1194

Commercial Vehicle and Motor Carrier Regulations

Sponsors: Representative Crowe of the 119th and Senator Dixon of the 45th

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 767)

This legislation represents the state’s annual adoption of the federal regulations relating to the safe operation of commercial motor vehicles and carriers found in Title 49 of the Code of Federal Regulations as they exist on January 1, 2022.

House Resolution 820

House Road and Bridge Dedications

Sponsors: Representative Terry of the 116th and Senator Gooch of the 51st

Effective Date: July 1, 2022 (Signed May 2, 2022; Act 807)

This resolution represents the House’s annual road and bridge dedications.

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VETERANS, MILITARY, AND HOMELAND SECURITY

Senate Bill 96

Notaries; Veterans Health Identification Card

Sponsors: Senator Jackson of the 2nd and Representative Mallow of the 163rd

Effective Date: July 1, 2022 (Signed April 18, 2022; Act 643)

Current law provides that a notary public must confirm the identity of a document signer, oath taker, or affirmitant based on personal knowledge or on satisfactory evidence. This bill requires that a valid Veterans Health Identification card be considered satisfactory evidence.

House Bill 884

Expedited Licenses by Endorsement for Military Spouses

Sponsors: Representative Belton of the 112th and Senator Kirkpatrick of the 32nd

Effective Date: Upon Governor’s Approval (Signed April 18, 2022; Act 644)

Under current law, a professional licensing board or other board must issue an expedited license by endorsement to anyone that: (1) is a spouse of a service member stationed in Georgia; (2) holds a current license to practice such occupation or profession issued by another state for which the training, experience, and testing are substantially similar in qualifications and scope to Georgia requirements; (3) is in good standing in the other state; and (4) passes any examination that may only be required to demonstrate knowledge of the laws and rules and regulations of Georgia specific to the practice for which the expedited license by endorsement is sought. This bill requires that an expedited license by endorsement must be issued no later than 90 days from the date of receipt of an application, information, and documents that show that all of the requirements have been met.

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